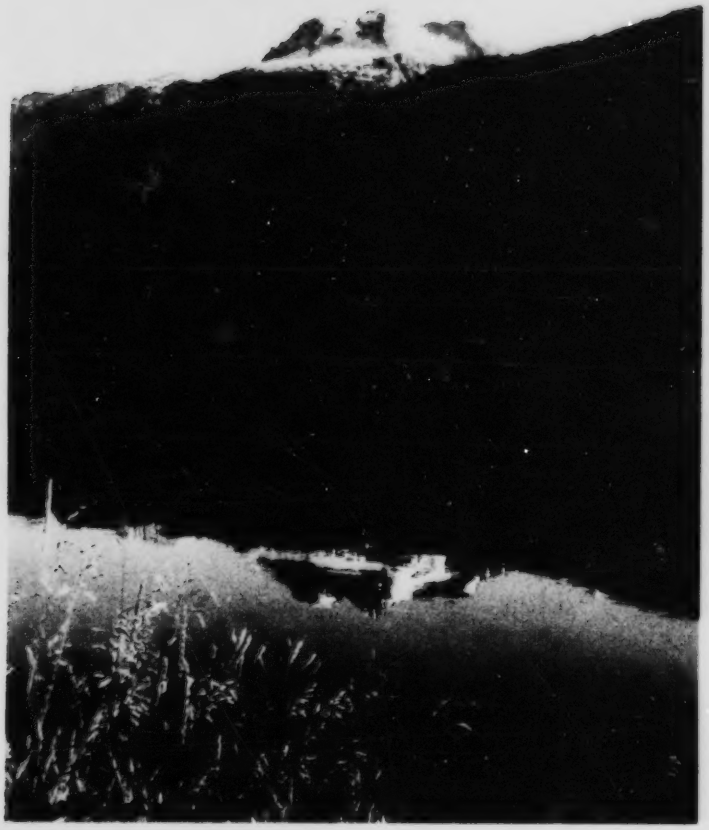
First Nations Water Rights in British Columbia

A Historical Summary of the rights of the Siska First Nation



DOC
BC
W324
D:F57S58
2000
c.3

WATER BC our vital resource
Ministry of Environment, Lands and Parks

British Columbia

LEGISLATIVE LIBRARY OF BRITISH COLUMBIA
3 3298 00236 0742

100-07566/

MINISTRY OF ENVIRONMENT, LANDS and PARKS
WATER MANAGEMENT BRANCH

FIRST NATIONS WATER RIGHTS IN BRITISH COLUMBIA:

A Historical Summary of the rights of the Siska First Nation

Research and writing by:	Rachel Abrams
Edit by:	JOL Consulting
Review by:	Gary W. Robinson
Prepared for publication:	March, 2000

Canadian Cataloguing in Publication Data
Abrams, Rachel.
First Nations water rights in British Columbia. A historical summary of the rights of the Siska First Nation

ISBN 0-7726-4236-2

1. Water rights - British Columbia - Humhampt Indian Reserve No. 6. 2. Water rights - British Columbia - Kupchynalth Indian Reserve No. 1. 3. Water rights - British Columbia - Kupchynalth Indian Reserve No. 2. 4. Water rights - British Columbia - Nahamanak Indian Reserve No. 7. 5. Water rights - British Columbia - Siska Flat Indian Reserve No. 3. 6. Water rights - British Columbia - Siska Flat Indian Reserve No. 5A. 7. Nlaka'pamux Indians - British Columbia - Lytton Region - Government relations. I. JOL Consulting (Firm) II. Robinson, Gary W. III. British Columbia. Water Management Branch. IV. Title. V. Title: Historical summary of the rights of the Siska First Nation.

KEB529.5.W3A282 2000 346.71104'32 C00-960161-9
KF8210.W38A282 2000

ACKNOWLEDGMENTS

The Ministry of Environment, Lands and Parks wishes to acknowledge three partners whose contributions were invaluable in the completion of the *Aboriginal Water Rights Report Series:*

The Ministry of Aboriginal Affairs, was a critical source of funding, support and direction for this project.

The U-Vic Geography Co-op Program, was instrumental in providing the staffing resources needed to undertake this challenging task. Through the services of June Whitmore and her office, the project benefited from the research, writing, editing and co-ordination of these outstanding students:

Jas Gill
Julie Steinhauer
Kelly Babcock
Daniella Mogus
Miranda Griffith
Christina Rocha
Rachel Abrams
Elizabeth Lee
Sara Cheevers

The services of Clover Point Cartographics Limited of Victoria, was responsible for the preparation of most of the map drawings, which form a valuable part of these documents.

In addition to these three key partners, I must acknowledge the valuable contributions of other Water Management staff, past and present, including Jack Farrell, Jim Mattison, Richard Penner, Diana Jolly, Greg Blaney, Gary Lucas and Kim Johnston.

The sheer numbers of First Nations groups' with histories of water rights made the completion of the Report Series seem, at times, prolonged. The determination, patience and vision of the partners was essential in the completion of the Series and is gratefully acknowledged.

Gary Robinson
Project Manager
Water Management Branch

TABLE OF CONTENTS

LOCATION 1

WATER ALLOCATIONS 2

MINUTES OF DECISION: ALLOCATIONS MADE BY THE INDIAN RESERVE COMMISSION 3

HISTORY, CURRENT STATUS AND NOTES 4

Humhampt Stream
- History 4
- Current Status 4
- Notes 5

Hyumatko Creek and Ntlahtlpatko Creek
- History 5
- Current Status 6
- Notes 6

Keray Spring
- History 6
- Current Status 7
- Notes 8

Kup Creek
- History 8
- Current Status 9
- Notes 9

Piglog (Kupchynalth) Creek
- History 9
- Current Status 10
- Notes 10

Pooeyelth Creek
- History 11
- Current Status 12
- Notes 12

Siska Creek
History 12
Current Status 17
Notes 17

OTHER INFORMATION 18
Additional Water Records 18
Alternate Water Sources 18
Groundwater Records 18
Municipal Water Supply 18

APPENDICES:

TAB NO.

1 TABLE: Summary of Water Rights Records for the Siska Band

2 RECORD OF MINUTES OF DECISIONS
AGBC #590457.

3 LICENCES and PLATS
Conditional Licences 5290, 5292, 7127, 7128, 7129, 7155, 7156, 7882, 10080, 10650, 20573, 40272, 40273.Final Water Licences 9018, 9019, 9020, 9021, 9022, 9027, 9078, 9172, 11976.

4 PERMIT AUTHORIZING THE OCCUPATION OF CROWN LAND: Permits 2325, 3590, 8870, 9949, 9963.

5 STREAM REGISTER REPORTS
Hyumatko Creek, Keray Spring, Piglog Creek, Pooeyelth Creek, Siska Creek.

6 WATER RECORDS FOR THE SISKA BAND FOUND IN THE *SCHEDULE OF INDIAN RESERVES IN THE DOMINION*, 1913

7 MAP: Siska First Nation Reserves
1:50,000 Humhampt Nos. 6 & 6A, Kupchynalth Nos. 1 & 2, Moosh No. 4, Nahamanak No. 7, Siska Flat Nos. 3, 5A, 5B, & 8, Zacht No. 5.

FIRST NATION WATER RIGHTS REPORT

BAND: Siska

ADDRESS: P.O. Box 338, Lytton, BC V0K 1Z0

CHIEF: Guy Dunstan

PHONE: 455-2219 **FAX**: 455-2539

AFFILIATION: Nlaka'pamux Nation Tribal Council

LOCATION:

The Siska Band occupies eleven reserves situated within the Cascade Mountain Region in an area south of Lytton. These reserves range in size from 0.2 to 110.3 hectares. The reserves include:

Humhampt No. 6	Moosh No. 4	Siska Flat No. 5B
Humhampt No. 6A	Nahamanak No. 7	Siska Flat No. 8
Kupchynalth No. 1	Siska Flat No. 3	Zacht 5
Kupchynalth No. 2	Siska Flat No. 5A	

The following reserves have an indication of an allocation of water rights:

- Humhampt 6: a 4.0 hectare reserve located on the right bank of the Fraser River, within Humhampt Reserve No. 6A.
- Kupchynalth 1: a 8.1 hectare reserve located on the left side of the Fraser River, just southeast of Kupchynalth Reserve No. 2.
- Kupchynalth 2: a 5.2 hectare reserve located on the left bank of the Fraser River, and is adjacent to the southern borders of Siska Flat Reserve No. 8 and Moosh Reserve No. 4.
- Nahamanak 7: a 110.3 hectare reserve located immediately across from Siska Flat Reserve No. 3 on the right bank of the Fraser River.
- Siska Flat 3: a 27.3 hectare reserve situated on the left bank of the Fraser River, just south of Siska Flat Reserve No. 5A.
- Siska Flat 5A: a 42.3-hectare reserve located north of where Siska Creek enters the Fraser River.

¥ Siska Flat 8: a 26.8-hectare reserve located immediately south of Siska Flat Reserve No. 3.

¥ Zacht 5: a 24.2 hectare reserve situated on the left bank of the Fraser River, directly between Siska Flat Reserve Nos. 5 and 5A.

The most recent population figures from the Ministry of Finance indicate that the Siska Band has 100 persons living on-reserve as registered members. Its total population, including registered and non-registered members living on and off-reserve, is 245.

These reserves are located within the Cascade Mountain Region. They lie at elevations ranging from 500 to 1900 metres above mean sea level, and experience climate ranging from an average daily temperature of -5 to -10 degrees centigrade in January, to greater than 20 degrees centigrade in July. The average annual rainfall for this area is 30 to 50 centimetres.

Water courses of significance include:

¥ Humhampt Stream, which flows through Humhampt Reserve No. 6A.

¥ Hyumatko Creek, which flows southeast through Nahamanak Reserve No. 7 before it enters the Fraser River.

¥ Keray Spring, which is located just west of Siska Flat Reserve No. 5A.

¥ Kup Creek, which is a tributary of the Fraser River.

¥ Ntlahtlpatko Creek, which flows southwest into Nahamanak Reserve No. 7, where it joins Hyumatko Creek.

¥ Piglog Creek, which runs south through Kupchynalth Reserve No. 1.

¥ Pooeyelth Creek, which flows northeast, and then southeast through Pooeyelth Reserve No. 3, before it enters the Fraser River.

¥ Siska Creek, which flows southwest before it enters the Fraser River south of the lower border of Siska Flat Reserve No. 5A.

WATER ALLOCATIONS:

There is no record of any allocation of water made by an Order in Council of the Lieutenant Governor in Council with respect to the Siska Band.

The water rights of the Siska Band have been recorded or affected by four actions of government over the years:

1) Allotments by Indian Reserve Commissioners.

Following confederation, the Province and the Dominion established an Indian Reserve Commission to reserve lands for the Indians without their agreement and for the transfer of those lands to the Dominion. In setting apart lands for reserves, the Reserve Commissioners made it their practice to allot water with the lands. It is understood that this practice was unique among Indian Reserves in Canada and the Province has always disputed the authority of these Commissioners to allot water rights.

2) Determinations of the Board of Investigation under the *Water Act, 1914* of claims of the Department of Indian Affairs, and subsequent issue of water licences.

3) Granting of water licences from Federal Government application for licences for the use of water on reserves.

4) Actions to amend, cancel, or record as abandoned rights under licence pursuant to provisions in the *Water Act.*

Minutes of Decision: Allocations made by the Indian Reserve Commission

The Indian Reserve Commission made a number of allocations which appear to be for the benefit of the Siska Band. Each Minute of Decision lists the amount of water being allocated, and often gives a brief description of the water source, with or without a name. Some of the names given and references made in the description of these water sources have lost their meaning through time. In this case, some water sources are now unidentifiable or can be only be tentatively identified using the information given.

Allocations which have apparently been made to the Siska Band, as described in AGBC #590457 (see attachments) are:

Date	***Inches***	***Source of Supply***
Jun 18, 1878	*20*	*"Humhampt Stream or other sources found available."* From the description given in the Minute of Decision, it is difficult to determine which reserve this water allocation was referring to. However, from the name Humhampt Stream, it may be assumed that this Minute of Decision applies to either Humhampt Reserve No. 6 or Humhampt Reserve No. 6A.

Jun 18, 1878	*100*	*"other sources of supply which may be found available."* From the description given in the Minute of Decision, it is difficult to determine which reserve this water allocation was referring to. The reserve may be Nahamanak 7, as it is on the right bank of Fraser River and the Minute of Decision describes the reserve being on the right bank.
Jun 18, 1878	*50*	*"Siska Creek or any sources found available."* It is unclear to which specific reserve this water allocation was referring to. The sketch accompanying this Minute of Decision shows an area similar to Siska Flat No. 3 and Siska Flat No. 8.

HISTORY, CURRENT STATUS AND NOTES:

The history of water rights, the current status of rights, and notes for the Siska Band with respect to the streams on Humhampt Stream, Hyumatko and Ntlahtlpatko Creeks, Keray Spring, Kup Creek, Piglog Creek, Pooeyelth Creek, and Siska Creek are as follows:

Humhampt Stream

History:

Jun 18, 1878 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band:

> *"20 inches of water for irrigation and other purposes are assigned from said stream or other sources of water supply which, on survey, may be found available."*

Note: This Minute of Decision applies to an area described as near the mouth of Humhampt Stream.

Current Status:

There is no indication of a Humhampt Stream in the area of the Siska Band's reserves. However, there is a Nahump Creek which flows through Humhampt 6A. Thus, Humhampt Stream may have been renamed Nahump Creek.

There are no active water licences on Nahump Creek.

Water Survey of Canada has no records of streamflow on Nahump Creek, and there is no other current information on water availability.

Notes:

1. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.

Hyumatko Creek and Ntlahtlpatko Creek

History:

Jun 18, 1878 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band on land which may be Nahamanak 7:

> *"100 inches of water for irrigation and other purposes are assigned from any sources of supply which, on survey, may be found available."*

Hyumatko and Ntlahtlpatko Creeks flow through Nahamanak 7.

Oct 22, 1923 At a final hearing before the Board of Investigation, acting pursuant to the *Water Act* of 1914, the Board determined that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Hyumatko Creek and Ntlahtlpatko Creek, for use on Nahamanak Reserve No. 7. The Order of the Board, numbered 6723, set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from Hyumatko Creek and Ntlahtlpatko Creek,
(ii) take precedence from September 26, 1888,
(iii) authorize diversion of a maximum of 136.5 acre feet per year for irrigation of 45.5 acres of Nahamanak Reserve No. 7, provided that 1,000 gallons per day, throughout the year, could also be used for domestic purpose.

Oct 22, 1923 The Comptroller of Water Rights issued Conditional Water Licence 7156, which embodied the terms and conditions set out in Board Order 6723.

Jan 15, 1935 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued

Final Water Licence 9078 (in substitution of Conditional Water Licence 7156) to the Superintendent General of Indian Affairs on behalf of the Siska Band. The licence was given a date of precedence of September 26, 1888 and authorizes the diversion of 90 acre feet per year (from April 1 to September 30) from Hyumatko and Ntlahtlpatko Creeks, for irrigation purposes on 30 acres of Nahamanak Reserve No. 7. Of this amount, 1,000 gallons per day, year-round may also be for domestic use.

Current Status:

Final Water Licence 9078 is the only active licence on Hyumatko and Ntlahtlpatko Creeks. It is for the use and benefit of the Siska Band.

Water Survey of Canada has no records of streamflow on Hyumatko Creek or Ntlahtlpatko Creek, and there is no other current information on water availability.

Notes:

1. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.
2. The issuance of Final Water Licence 9078 (which substituted Conditional Water Licence 7156) resulted in the reduction of licensed water rights for the Siska Band.

Keray Spring

History:

Jun 18, 1878 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band in an area described as being located at Siska Flat:

> *"50 inches of water for irrigation and other purposes are assigned from Siska Creek or any sources of water supply which, on survey, may be found available."*

Note: Keray Spring serves as a water source on Siska Flat Reserve No. 5A.

Feb 1, 1952 In accordance with an application made by Keray Leachty, the Comptroller of Water Rights issued Conditional Water Licence 20503. This licence has a precedence date of June 25, 1951, and authorizes the diversion of 6 acre feet per year (from April 1 to September 30) and 10,000 gallons a day (throughout the year) from Keray Spring for

irrigation and domestic purposes. The land to which this licence is appurtenant is Siska Flat Reserve No. 5A, of which 2 acres may be irrigated.

Note: At this time Keray Leachty leased the Siska Lodge, which comprised 10 acres of Siska Flat Reserve No. 5A, from the Indian Department.

Mar 9, 1952 In connection with Final Water Licence No. 3590, a permit was granted to the Director of Indian Affairs, under Section 20, Right of Way over Crown Land.

Apr 25, 1988 An Application for a Change of Works on Conditional Water Licence 20503 was made by F. Winchcombe and E. Wilson. This application requested that the existing pipe and flume works be abandoned. In addition, this application requested that new pipe works be constructed.

Note: F. Winchcombe and E. Wilson are the owners of the Siska Lodge. This lodge is situated on Siska Reserve No. 5A, the land to which Conditional Water Licence 20503 is appurtenant.

Apr 4, 1995 The Deputy Comptroller of Water Rights issued an order to amend clauses (d), (e) and (f) of Conditional Water Licence 20503. In addition, under this order clause (j) was deleted from the licence. The amendment of the above clauses read as follows:

> *"(d) The purpose for which the water is to be used is irrigation and industrial (lodge)*
>
> *(e) The maximum quantity of water which may be diverted for irrigation purpose is 6 acre feet per annum and for industrial (lodge) purpose is 10,000 gallons a day*
>
> *(f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for industrial (lodge) purpose is the whole year."*

Current Status:

Conditional Water Licence 20503 is the only active licence on Keray Spring. Elda Wilson leases the land, to which this licence is appurtenant, from the Siska Band.

Water Survey of Canada has no records of streamflow on Keray Spring, and there is no other current information on water availability.

Notes:

1. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.

2. There is an outstanding application for Change of Works for Conditional Water licence 20503 dated April 25, 1988.

Kup Creek

History:

Jun 26, 1888 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band on Kupchynalth Reserve No. 1 and a portion of land which may be Kupchynalth Reserve No. 2:

> *"25 inches of water for irrigation and other purposes are assigned from said stream [Kupchynalth Creek] or other sources of water supply which, on survey, may be found available."*

Kup Creek may be the same source as Kupchynalth Creek which has since been renamed Piglog Creek.

Dec 19, 1924 At a final hearing before the Board of Investigation, acting pursuant to the *Water Act* of 1914, the Board determined that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Kup Creek, for use on Kupchynalth Reserve No. 2. The Order of the Board, numbered 6523, set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from Kup Creek,
(ii) take precedence from September 26, 1888,
(iii) authorize diversion of a maximum of 22.5 acre feet per year for irrigation of 7.5 acres of Kupchynalth Reserve No. 2, provided that 500 gallons per day, throughout the year, could also be used for domestic purpose.

Dec 19, 1924 The Comptroller of Water Rights issued Conditional Water Licence 7882, which embodied the terms and conditions set out in Board Order 6523.

Sep 21, 1934 Having given notice to the lessee of the land appurtenant to Conditional Water Licence 7882, the Comptroller of Water Rights cancelled the

Licence for the reason that the construction of works authorized were not prosecuted with due diligence.

The file corresponding to Conditional Water Licence 7882 has been destroyed, therefore; further information pertinent to this licence is not available.

Current Status:

Kup Creek does not exist on current Water Licensing records. Thus, there are no licences reported on Kup Creek.

Water Survey of Canada has no records of streamflow on Kup Creek, and there is no other current information on water availability.

Notes:

1. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.
2. The water rights held by the Siska Band under Conditional Licence 7882 on Kup Creek were cancelled in 1934.

Piglog (Kupchynalth) Creek

History:

Jun 26, 1888 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band on Kupchynalth Reserve No. 1:

> *"25 inches of water for irrigation and other purposes are assigned from said stream [Kupchynalth Creek] or other sources of water supply which, on survey, may be found available."*

Note: Kupchynalth Creek has been renamed Piglog Creek.

Oct 22, 1923 At a final hearing before the Board of Investigation, acting pursuant to the *Water Act* of 1914, the Board determined that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Kupchynalth Creek (now known as Piglog Creek), for use on Kupchynalth Reserve No. 1. The Order of the Board, numbered 6521, set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from Kupchynalth Creek,
(ii) take precedence from September 26, 1888,
(iii) authorize diversion of a maximum of 32.7 acre feet per year for irrigation of 10.9 acres of Kupchynalth Reserve No. 1.

Oct 22, 1923 The Comptroller of Water Rights issued Conditional Water Licence 7127, which embodied the terms and conditions set out in Board Order 6521.

Nov 20, 1934 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9018 (in substitution of Conditional Water Licence 7127 to the Superintendent General) of Indian Affairs on behalf of the Siska Band. The licence has a date of precedence of September 26, 1888 and authorizes the diversion 15 acre feet per year (from April 1 to September 30) from Kupchynalth Creek (Piglog Creek), for irrigation purposes on 5 acres of Kupchynalth Reserve No. 1.

Jan 17, 1989 The Deputy Comptroller of Water Rights issued an order amending Final Water Licence 9018. This order amended clause (a) of the licence to read as follows:

"The stream on which the rights are granted is Piglog Creek..."

Current Status:

Final Water Licence 9018 is the only active licence on Piglog Creek. It is for the use and benefit of the Siska Band.

Water Survey of Canada has no records of streamflow on Piglog Creek, and there is no other current information on water availability.

Notes:

1. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.

2. The issuance of Final Water Licence 9018 (which substituted Conditional Water Licence 7127) resulted in the reduction of licensed water rights for the Siska Band.

Pooeyelth Creek

History:

Jun 18, 1878 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band on Humhampt Reserve No. 6 or Humhampt No. 6A:

> *"20 inches of water for irrigation and other purposes are assigned from said stream or other sources of water supply which, on survey, may be found available."*

Note: Pooeyelth Creek serves as a water source on Humhampt Reserve No. 6.

Dec 13, 1920 In accordance with an application made by H. Graham, Indian Agent on behalf of the Siska Band, the Comptroller of Water Rights issued Conditional Water Licence 5292. This licence was given a precedence date of July 2, 1920 and authorized the diversion of 22 acre feet per year (from April 1 to September 30) from Pooeyelth Creek for irrigation purpose. Of this amount, 1,000 gallons of water per day could be for domestic purpose. The land to which this licence was appurtenant was Siska Flat (Humhampt) Reserve No. 6.

Oct 22, 1923 At a final hearing before the Board of Investigation, acting pursuant to the *Water Act* of 1914, the Board determined that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Pooeyelth Creek, for Humhampt Reserve No. 6. The Order of the Board, numbered 541, set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from Pooeyelth Creek,
(ii) take precedence from September 26, 1888,
(iii) authorize diversion of a maximum of 21.6 acre feet per year for irrigation of 7.2 acres of Humhampt Reserve No. 6, provided that 500 gallons per day, throughout the year, could also be used for domestic purpose.

Oct 22, 1923 The Comptroller of Water Rights issued Conditional Water Licence 7155, which embodied the terms and conditions set out in Board Order 541.

Sep 21, 1934 The Comptroller of Water Rights issued an Order, in accordance with a notice of proposed cancellation dated July 4, 1934, which cancelled Conditional Water Licence 5292. This licence was cancelled due to the licensee failing to prove the construction of the works authorized under the licence was begun within the time fixed and that the construction of

the works was prosecuted with due diligence.

Nov 20, 1934 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9027 (in substitution of Conditional Water Licence 7155) to the Superintendent General of Indian Affairs on behalf of the Siska Band. The licence has a date of precedence of September 26, 1888 and authorizes the diversion of 21.6 acre feet per year (from April 1 to September 30) from Pooeyelth Creek, for irrigation purposes on 7.2 acres of Humhampt Reserve No. 6. Of this amount, 1,000 gallons per day, year-round may also be for domestic use.

Current Status:

There are currently two active licences on Pooeyelth Creek, Final Water Licences 9027 and 9028, both with the same date of precedence, September 26, 1888. The Siska Band holds Final Water Licence 9027 and the Skuppah Band holds Final Water Licence 9028, which authorizes the diversion of 30 acre feet of water per annum for irrigation purpose, of which quantity 1,000 gallons a day may be used for domestic purpose.

Water Survey of Canada has no records of streamflow on Pooeyelth Creek, and there is no other current information on water availability.

Notes:

1. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.
2. The issuance of Final Water Licence 9027 (which substituted Conditional Water Licence 7155) resulted in the increase of water authorized for incidental domestic purpose for the Siska Band.
3. The water rights held by the Siska Band under Final Water Licence 5292 on Pooeyelth Creek were cancelled in 1934.

Siska Creek

History:

Jun 18, 1878 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band on land shown on a sketch to resemble Siska Flat 3 and Siska Flat 8:

"50 inches of water for irrigation and other purposes are assigned

from Siska Creek or other sources of water supply which, on survey, may be found available."

Jun 18, 1878 The Minute of Decision of the Indian Reserve Commission allocated the following for the use of the Siska Band on Zacht Reserve No. 5:

> *"75 inches of water for irrigation and other purposes are assigned from Siska Creek or other sources of water supply which on survey may be found available."*

Dec 13, 1920 In accordance with an application made by the H. Graham, Indian Agent on behalf of the Siska Band, the Comptroller of Water Rights issued Conditional Licence 5290. This licence was given a precedence date of July 2, 1920 and authorized the diversion of 33 acre feet per year (from April 1 to September 30) from Siska Creek for irrigation purpose. Of this amount, 1,000 gallons of water per day may be used for domestic purpose. The land to which this licence was appurtenant was Siska Flat 5A.

Oct 22, 1923 At a final hearing before the Board of Investigation, acting pursuant to the *Water Act* of 1914, the Board determined that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Siska Creek, for use on Siska Flat Reserve No. 3. The Order of the Board, numbered 6566, set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from Siska Creek,
(ii) take precedence from September 26, 1888,
(iii) authorize diversion of a maximum of 109.8 acre feet per year for irrigation of 36.6 acres of Siska Flat Reserve No. 3, provided that 1,000 gallons per day, throughout the year, could also be used for domestic purpose.

Oct 22, 1923 The Comptroller of Water Rights issued Conditional Water Licence 7128, which embodied the terms and conditions set out in Board Order 6566.

Oct 22, 1923 At a final hearing before the Board of Investigation, acting pursuant to the *Water Act* of 1914, the Board determined that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Siska Creek, for use on Zacht Reserve No. 5. The Order of the Board, numbered 6567, set out that a conditional licence should be issued which would:

(i) provide for the diversion of water from Siska Creek,
(ii) take precedence from September 26, 1888,

(iii) authorize diversion of a maximum of 110.4 acre feet per year for irrigation of 36.8 acres of Zacht Reserve No. 5, provided that 1,000 gallons per day, throughout the year, could also be used for domestic purpose.

Oct 22, 1923 The Comptroller of Water Rights issued Conditional Water Licence 7129, which embodied the terms and conditions set out in Board Order 6567.

Jul 20, 1929 In accordance with an application made by the Superintendent General of Indian Affairs on behalf of the Siska Band, the Comptroller of Water Rights issued Conditional Water Licence 10080. This licence was given a precedence date of March 13, 1929 and authorized the diversion of 68 acre feet per year (from April 1 to September 30) from Siska Creek for irrigation purpose. Of this amount 1,000 gallons per day may be used for domestic purpose. The land to which this licence was appurtenant was Siska Flat Reserve No. 8.

Dec 15, 1930 In accordance with an application made by Helen L. Gaugh, the Comptroller of Water Rights issued Conditional Water Licence 10650. This licence was given a precedence date of August 9, 1930 and authorized the diversion of 0.4 cubic feet per second throughout the whole year from Siska Creek for power purpose. The land to which this licence was appurtenant was Siska Flat Reserve No. 5A.

Note: Helen L. Gaugh leased the land to which this licence was appurtenant from the Indian Department on behalf of the Siska Band.

Nov 20, 1934 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9019 (in substitution of Conditional Water Licence 7128) to the Superintendent General of Indian Affairs on behalf of the Siska Band. The licence was given a date of precedence of September 26, 1888 and authorized the diversion of 78 acre feet per year (from April 1 to September 30) from Siska Creek, for irrigation purposes on 26 acres of Siska Flat Reserve No. 3. Of this amount, 1,000 gallons per day, year-round may also be for domestic use.

Nov 20, 1934 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9020 (in substitution of Conditional Water Licence 7129) to the Superintendent General of Indian Affairs on behalf of the Siska Band. The licence has a date of precedence of September 26, 1888 and authorizes the diversion of 110.4 acre feet per year (from April 1 to September 30) from Siska Creek, for irrigation purposes on 36.8 acres of Zacht Reserve No. 5. Of this amount, 1,000 gallons per day, year-round may also be for domestic use.

Nov 20, 1934 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9021 (in substitution of Conditional Water Licence 5290) to the Superintendent General of Indian Affairs on behalf of the Siska Band. The licence has a date of precedence of July 2, 1920 and authorizes the diversion of 33 acre feet per year (from April 1 to September 30) from Siska Creek, for irrigation purposes on 11 acres of Siska Flat Reserve No. 5A. Of this amount, 1,000 gallons per day, year-round may also be for domestic use.

Nov 20, 1934 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9022 (in substitution of Conditional Water Licence 10080) to the Superintendent General of Indian Affairs on behalf of the Siska Band. The licence was given a date of precedence of March 13, 1929 and authorized the diversion 68 acre feet of water per year from April 1 to September 30 from Siska Creek, for irrigation purposes on 22.2 acres of Siska Flat Reserve No. 8. Of this amount, 1,000 gallons per day, year-round may also be for domestic use.

Mar 9, 1935 Based on the extent to which the rights granted under the former licence were being exercised at the time, the Comptroller of Water Rights issued Final Water Licence 9172 (in substitution of Conditional Water Licence 10650) to Helen L. Gaugh. The licence was given a date of precedence of August 9, 1930 and authorized the diversion of 0.4 cubic feet per second throughout the year from Siska Creek, for power purposes. This licence was appurtenant to Siska Flat Reserve No. 5A, as described on page 1886 and 1867 of the British Columbia Gazette dated 22nd December, 1932.

Note: Helen L. Gaugh leased the land to which this licence was appurtenant from the Indian Department, on behalf of the Siska Band.

Sep 22, 1943 A letter written by the Comptroller of Water Rights indicated that Conditional Water Licence 9172 was surrendered by the Gaughs, and that the same licence was cancelled and written off the registers.

This licence was surrendered so that a replacement licence could be issued (Final Water Licence 11976) which would authorize a greater quantity of water.

Oct 20, 1943 The Comptroller of Water Rights issued Final Water Licence 11976 to E. C. Gaugh and D. A. Gaugh in accordance with their application. The licence has a date of precedence of September 4, 1943 and authorizes the diversion of 2 cubic feet per second for the whole year from Siska Creek, for power purpose. Of this amount, 1,000 gallons per day, year-round may also be for domestic use. This licence is appurtenant to Siska Flat

Reserve No. 5A, as described on page 1886 and 1867 of the British Columbia Gazette dated 22nd December, 1932.

Note: E. C. Gaugh and D. A. Gaugh leased the land to which this licence is appurtenant from the Indian Department on behalf of the Siska Band.

Oct 20, 1943 In connection with Final Water Licence 11976, Permit Over Crown Lands 2325 was granted to E. C. Gaugh and D. A. Gaugh, for use on Siska Flat Reserve No. 5A. This permit authorized occupation of Crown Land for the construction and maintenance of works.

Feb 1, 1952 In connection with Final Water Licence 9021, Permit Over Crown Lands 3590 was granted to Keray Leachty, for use on Siska Flat Reserve No. 5A. This permit authorized occupation of Crown Land for the construction and maintenance of works.

Jan 15, 1973 In accordance with an application for a change of works made by the Superintendent General of Indian Affairs on behalf of the Siska Band, the Comptroller of Water Rights issued Conditional Water Licence 40272 in substitution of Final Water Licence 9022. This licence has a precedence date of March 13, 1929 and authorizes the diversion of 66.6 acre feet per year (from April 1 to September 30) from Siska Creek for irrigation purpose. Of this amount, 1,000 gallons of water per day may be used for domestic purpose. The land to which this licence is appurtenant is Siska Flat Reserve No. 8, of which 22.2 acres may be irrigated.

Jan 15, 1973 In accordance with an application for a change of works made by the Superintendent General of Indian Affairs on behalf of the Siska Band, the Comptroller of Water Rights issued Conditional Water Licence 40273 in substitution of Final Water Licence 9019. This licence has a precedence date of September 26, 1888 and authorizes the diversion of 76.6 acre feet per year (from April 1 to September 30) from Siska Creek for irrigation purpose and a further 1,000 gallons of water per day for domestic purpose. The land to which this licence is appurtenant is Siska Flat Reserve No. 3, of which 25.55 acres may be irrigated.

Jan 15, 1973 In connection with Conditional Water Licence 40273, Permit Over Crown Lands 8870 was granted to the Siska Band. This permit authorized occupation of Crown Land for the construction and maintenance of works.

May 27, 1975 In connection with Conditional Water Licence 40272, Permit Over Crown Lands 9949 was granted to Superintendent General of Indian Affairs, on behalf of the Siska Band. This permit authorized occupation of Crown Land for the construction and maintenance of works.

Jun 9, 1975 The Deputy Comptroller of Water Rights issued an Order amending Conditional Water Licence 40273. This Order authorized both the

relocation of points of diversion and the construction of new works.

Jun 9, 1975 In connection with Conditional Water Licence 40273, Permit Over Crown Lands 9963 was granted in place of Permit Over Crown Lands 8870. This permit authorized occupation of Crown Land for the construction and maintenance of works.

May 27, 1995 The Deputy Comptroller of Water Rights issued an Order amending Conditional Water Licence 40272, which authorizes the diversion of water from Siska Creek for irrigation and domestic purpose. This order was issued to amend the licence to include both a new point of diversion and new works to be constructed.

Jun 2, 1995 A letter written by L. Walters, Supervisor of Water Licences, stated that Final Water Licences 11976 and 20503 have outstanding amendments. The letter indicated the following apparent changes are to be made:

> *"Original appurtenancy now subdivided into 3 parcels...*
> *All the parcels are owned by the same person.*
> *The water rights appear to be tied to the property now described as Lot B, Plan M283."*

Current Status:

There are currently five active licences on Siska Creek, all of which are held by the Siska Band.

The Siska Band holds Conditional Water Licences 40273 and 40272, which are first and fourth on Siska Creek. The Siska Band also holds Final Water Licences 9020, 9021 and 11976, which are second, third, and fifth in priority on Siska Creek. Final Water Licence 11976 is presently leased from the Siska Band by Elda B. Wilson.

Water Survey of Canada has no records of streamflow on Siska Creek, and there is no other current information on water availability.

1. **Notes:**
2. The Siska Band's prior right to water allotted by the Indian Reserve Commission has not been formally recognized by the Province.
3. The issue of Conditional Water Licence 40272 and 40273 in substitution of Final Water Licences 9022 and 9019, resulted in a loss of licensed rights on Siska Creek for the Siska Band.
4. The water rights held by the Siska Band under Final Water Licence 9172 on Siska Creek were cancelled in 1943 in order for a new licence, authorizing a greater quantity, to be issued.

OTHER INFORMATION:

Additional Water Records:

The *Schedule of Indian Reserves in the Dominion, 1913, is* a document published by the federal government, recording each Band's water allocations up to 1913. We believe these records are a compilation of Minute of Decisions, Order-in-Councils, and perhaps other documents. However, as original copies of these documents are unavailable, the dates and information cannot be verified.

Allocations in the *Schedule of Indian Reserves in the Dominion* for the benefit of the Siska Band, which are inconsistent with our findings, are:

Reserve	Water Allocation
Nahamanak 7	*"50 inches of water recorded from Hyumatko creek, 50 inches of water recorded from N-tlah-tla-pat-ko creek and all the water from all other sources of water-supply on the reserve."* Board Order 6723 (Conditional Water Licence 7156) stated that a bona fide application for a record of water from Hyumatko and Ntlahtlpatko Creeks has been used for beneficial purposes. The Siska Band was granted 136.5 acre feet of water per year. The quantity authorized under the Board Order is less than the amount stated in the Dominion's schedule (100 inches or 666.7-acre feet).

Alternate Water Sources:

Groundwater Records:

Review of records of the Groundwater Section found no evidence of wells located on any of the Siska Reserves. However, the provision of this groundwater information is voluntary and, therefore, cannot be assumed to be complete.

Municipal Water Supply:

At this time the potential for water supply from a municipality is limited, as there are no municipal water systems in the proximity of the Siska Reserves.

The proximity of the Fraser River to the Siska Reserves makes it a possible source of water for other purposes.

Summary of Water Rights Record Siska First Nation								
Water Source	**Priority Date**	**Reserve Name**	**File No.**	**Document Type**	**Status**	**Superceded By**	**Licence PUC/MOD & OIC Allotments**	**Comments**
Humhampt Stream or other sources found available	1878/06/18		AGBC 590457	MOD			*"20 inches of water"* (converted equivalent=133.28AF)	IRC Allocations: Not formally recognized by the Province.
From any source found available	1878/07/18	Nahamanak 7	AGBC 590457	MOD			*"100 inches of water"* (converted equivalent=666.4 AF)	Appurtenant Land: Description provided corresponds to Nahamanak 7. IRC Allocations: Not formally recognized by the Province.
Hyumatko & Ntlahtlpatko Creeks	1888/09/26	Nahamanak 7	0241085	CL 7156	Superceded	FL 9078	1,000 GAD Domestic 136.5 AF/Irrigation	
Hyumatko & Ntlahtlpatko Creeks	1888/09/26	Nahamanak 7	0241085	FL 9078	Current		1,000 GAD/Domestic 90 AF Irrigation	FL9078 which substituted CL7156 resulted in the reduction of licenced water rights for the Siska Band.
Keray Spring	1951/06/25	Siska Flat 5A	0189524	CL 20503	Current		10,000 GAD/Domestic 6 AF/Irrigation	Outstanding application for Change of Works of CL20503 Apr. 25, 1988.

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC Allotments	Comments
Piglog Creek	1878/06/18	Kupchynalth 1	AGBC 590457	MOD			"25 inches of water"(converted equivalent=166.6AF)	Kup Creek may be the same source as Kupchynalth Creek; since renamed Pilog Creek. IRC Allocations: Not formally recognized by the Province.
Kup Creek (Piglog Creek)	1888/09/26	Kupchynalth 2		CL 7882	Cancelled		22.5 AF/Irrigation 500GAD stored	
Kupchynalth Creek (Piglog Creek)	1888/09/26	Kupchynalth 1	0241050	CL 7127	Superceded	FL 9018	32.7 AF/Irrigation	
Piglog Creek	1888/09/26	Kupchynalth 1	0241050	FL 9018	Current		15 AF/Irrigation	FL9018 which substituted CL7127 resulted in the reduction of licenced water rights for the Siska Band.
Pooeyelth Creek	1888/09/26	Humhampt 6	0241084	CL 7155	Superceded	FL 9027	500 GAD Domestic 21.6 AF/Irrigation	
Pooeyelth Creek	1888/09/26	Humhampt 6	0241084	FL 9027	Current		21.6 AF/Irrigation 1,000 GAD/Domestic	FL9027 which substituted CL7155 resulted in the increase of water authorized for incidental domestic purpose for the Siska Band.

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC Allotments	Comments
Pooeyelth Creek	1920/07/02	Humhampt 6	0022979	CL 5292	Cancelled		1,000 GAD Domestic 22 AF/Irrigation	
Siska Creek or other sources	1878/06/18	Zacht 5	AGBC 590457	MOD			"75 inches of water"(converted equivalent=499.8AF)	IRC Allocations: Not formally recognized by the Province.
Siska Creek or any sources found available.	1878/06/18		AGBC 590457	MOD			"50 inches of water" (converted equivalent=333.2AF)	IRC Allocations: Not formally recognized by the Province.
Siska Creek	1888/09/26	Zacht 5	0241048	CL 7129	Superceded	FL 9020	1,000 GAD Domestic 110.4 AF Irrigation	
Siska Creek	1888/09/26	Zacht 5	0241048	FL 9020	Current		1,000 GAD Domestic 110.4 AF Irrigation	
Siska Creek	1888/09/26	Siska Flat 3		CL 7128	Superceded	FL 9019	1,000 GAD Domestic 109.8 AF/Irrigation	
Siska Creek	1888/09/26	Siska Flat 3	0002081	FL 9019	Superceded	CL 40273	1,000 GAD Domestic 78 AF/Irrigation	
Siska Creek	1888/09/26	Siska Flat 3	0241049	CL 40273	Current		1,000 GAD/Domestic 76.6 AF/Irrigation	In substitution of 9019 resulted in a loss of licenced rights on Siska Creek for the Siska Band.
Siska Creek	1920/07/02	Siska Flat 5A	0022900	CL 5290	Superceded	FL 9021	1,000 GAD Domestic 33 AF/Irrigation	
Siska Creek	1920/07/02	Siska Flat 5A	0022900	FL 9021	Current		1,000 GAD/Domestic 33 AF/Irrigation	
Siska Creek	1929/03/13	Siska Flat 8	0085991	CL 10080	Superceded	FL 9022	1,000 GAD Domestic 68 AF/Irrigation	
Siska Creek	1929/03/13	Siska Flat 8	0085991	FL 9022	Superceded	CL 40272	1,000 GAD Domestic 68 AF/Irrigation	

Water Source	Priority Date	Reserve Name	File No.	Document Type	Status	Superceded By	Licence PUC/MOD & OIC Allotments	Comments
Siska Creek	1929/02/13	Siska Flat 8	0085991	CL 40272	Current		1,000 GAD/Domestic 66.6 AF/Irrigation	In substitution of 9022 resulted in a loss of licenced rights on Siska Creek for the Siska Band.
Siska Creek	1930/08/09	Siska Flat 5A	0092569	CL 10650	Superceded	FL 9172	0.4 CS/PRGEN	
Siska Creek	1930/08/09	Siska Flat 5A	0092569	FL 9172	Cancelled		0.4 CS/PRGEN	
Siska Creek	1943/09/04	Siska Flat 5A	0092569	FL 11976	Current		1,000 GAD/Domestic 2 CS/PRGEN	

Sicika Indians

A reserve about a mile south from Sicika Flat consisting of 15 acres more or less, on a bench above the waggon road, situated on the left bank of a small stream which flows into left bank of Fraser River at a place called Kup. chay. valk. also a portion of land on left bank of Fraser river consisting of about 3 acres at the mouth and on both sides of said stream.

15 inches of water for irrigation and other purposes are assigned from said stream or other sources of water supply which

on survey may be found

available

Gmo

Siska Indians

The old Reserve at Siska Flat is confirmed as per Royal Engineer's sketch, and is to be extended on the north and north east to include about 25

SISKA FLAT
about 7 miles below
LYTTON
on left bank of
FRASER RIVER.

Sitka Indians

The old Reserve at Sitka Flat is confirmed as per Royal Engineer sketch, and is to be extended on the north and north east to include about 25 acres of woodland and a spring on the hill side a few chains north east of the reserve in good survey shape.

50 inches of water for irrigation and other purposes are assigned from Sitka Creek or any source of water supply which on survey may be found available.

Sheds

Sitka Indians

A reserve for a graveyard on and above the Gale-Cambro waggon road a few chains south east from the enclosure of Fort Rae at Sitka Flat. to consist of 4 acres, or thereabouts, but to include all the Indian graves and a knoll

18 June 1878

A space is to be left between the most northerly grave (which the Indians did not wish to move) and the other graves, to permit wood hauling from the mountains by the white settlers. But particular place being convenient for said hauling.

The

The precincts of the old Sitka graveyard at the head on the left bank of Indian river shown on the Royal Engineer's sketch and which it is said were invaded by miners are to be marked off on the ground so that the Indians may enclose the remains of the graveyard.

JMS

Siska Indians

A Reserve at Zackt, or Little Jackass Mountain, on the Yale-Cariboo waggon road about 6 miles below Lytton, and bounded as follows:-

From a spot on the waggon road as most convenient for survey near the north end of the flat east to the base of the hills - thence southerly along said base and afterwards westerly to waggon road so as to include the flat (about 50 acres more or less) in good survey shape - thence northerly along or near waggon road to starting point:

18 June 1878

75 inches of water

water for irrigation and other purposes are assigned from Sicka Creek or other sources of water supply which on survey may be found available, and the abandoned ditch and flume leading from Sicka Creek (above the Chinaman's flume) to Zachts and assigned for Indian uses subject to any persons legal rights in said ditch and flume, which do not appear to exist.

There is an old fishing place a rock, on Aft bank of Fraser River where a Chinaman was mining below Zachts reserve which may be marked off as the Chinaman was intruding thereon by making his mining

acres

debris flow upon the creek thus preventing
the Indians from fishing.

Siska Indians

A Reserve consisting of about
10 acres but to include the Indian
cleared and cultivation on a bench
in the angle formed by the land on
the right bank of the Fraser and
the land on the left bank and near
18 June 1878 the mouth of Hunn. Humph Stream about
5½ miles below Lytton

20 inches of
water for irrigation and other purposes
are assigned from said stream or
other sources of water supply which
on survey may be found available.

Lands

Siska Indians

A Reserve on the right bank of Fraser river about 7 miles below Lytton, bounded as follows.

From a spot on right bank of Fraser River west of which is a high rock (opposite Mr Cox's 18 June 1878 enclosure at Siska Flat) and to the north of which rock at a few chains distance is an Indian house. West about 40 chains (or sufficient to include the Indian houses and cultivated or cultivable land on the slopes) hence with a sufficient distance to include an Indian house and a patch cultivated land which land is behind and stretches to the north of a rocky bank

bank and bluff on right bank of
the Fraser (opposite though not quite
up to where a Chinaman is mining below
Yacht above) thence east to right
bank of Fraser river thence down
said bank to starting point
100 inches of
water for irrigation and other purposes
are assigned from any source of
water supply which on survey may
be found available

Note

The Indian
Chief Chapman George states that within
the above are two separate pieces
of land which are his private property
acquired by purchase

These

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE
(IRRIGATION)

Appurtenant to 11 acres of Siska Flat Indian Reserve No. 5A.

WHEREAS H. Graham, Indian Agent, whose post-office address is Lytton, B. C.

as owner or lawful occupant of the land hereinafter specified, has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the preliminary steps required of such applicant under the "Water Act, 1914," prior to the issue of this licence, and is, under the said Act, entitled thereto:

(1.) Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee thereunder the right to take and use water under the following terms and conditions:—

(a.) The source of the water-supply is Siska Creek a tributary of Fraser River.

(b.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria.

(c.) The date from which this licence shall take precedence is 2nd July, 1920.

Superseded by Final Licence 4021

(d.) The purpose for which the water is to be used is irrigation.

(e.) The maximum quantity of water which may be used at the place of use when all the lands mentioned in item (g) hereof are under irrigation is, until lawfully altered, 33 acre-feet per annum; and the maximum quantity which may be used per acre at the said place of use in any year is 3 acre-feet: Provided that if any records have been issued, or if any other licences have been or may hereafter be issued, for the use of water upon the said lands, the maximum quantity allowed under this licence shall be reduced by such quantities as may from time to time be used upon the said lands under such other records or licences, including the records or licences at present outstanding, namely, Licence No. ..... from ..... (Stream.)

and Licence No. ..... from ..... (Stream.)

And provided further that in such cases the Comptroller may, after the requisite hydrographic data have been accumulated for determining the particular quantity of water which may be used under this licence, require the surrender thereof for the purpose of readjustment, and may amend the same by stating therein such particular quantity so determined. The maximum quantity which may be diverted from the stream per annum is 3 acre-feet per acre of land irrigated and an additional amount for reasonable seepage and evaporation.

And provided further that there may be used in addition 1000 gallons of water per day throughout the whole year for domestic purpose as being incidental to the irrigation purpose.

Licence Number 5290

Form 1004, W.R.B. (Conditional Licence—Irrigation).—1,000-8-20.

5290

ORIGINAL

6

(*f.*) The period of the year during which the water may be used is 1st April to 30th September.

(*g.*) The area and description of the irrigable lands to which this right may extend on completion of works and beneficial use of the water in the irrigation of the said lands are 11 acres, comprising part of Siska Flat Indian Reserve No. 5A.

The extent and location of the said irrigable lands are further shown in the said exhibit "A."

(*h.*) The other terms and conditions respecting the right are:—

(1.) Works for the diversion and the carriage of the water as set forth in the exhibit marked "B" which is hereto attached and hereby made a part hereof shall be constructed in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(2.) The said construction shall be commenced on or before the first day of May, 1921.

(3.) The said construction shall be prosecuted with due diligence and to the satisfaction of the Comptroller, and shall be completed on or before the thirtieth day of November, 19 30.

(4.) The lands described in clause (*g*) hereof shall have been properly prepared for irrigation and shall have been irrigated beneficially from the said works on or before the thirtieth day of November, 19 30.

(5.)

(*i.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(*j.*) This licence shall not be valid and effective to authorise the construction and maintenance of any works upon, or the use or occupation of any lands belonging to the Crown in the right of Canada unless and until approved by the Minister of the Interior and shall be subject to such terms and conditions as the Minister may prescribe.

(2.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

Issued this thirtieth day of December, 19 20.

File No. 022900.

E. H. Beuclaud
Comptroller of Water Rights.

Licence Number 5290

5290

ORIGINAL

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

EXHIBIT "B."

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED.)

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered 125515 C.

as altered, amended, or limited by supplemental plans and specifications numbered Plan 1900 - 25

or in letters or other documents referred to as

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

Ditch

File No. 022900.

ENTERED ON
Map No. 442
By RAW

E. H. Cleveland
Comptroller of Water Rights.

Form 1005, W.R.B. (Approval of Plans)—2,000-11-20—(Forming part of Conditional Water Licence No. 5290).

5290

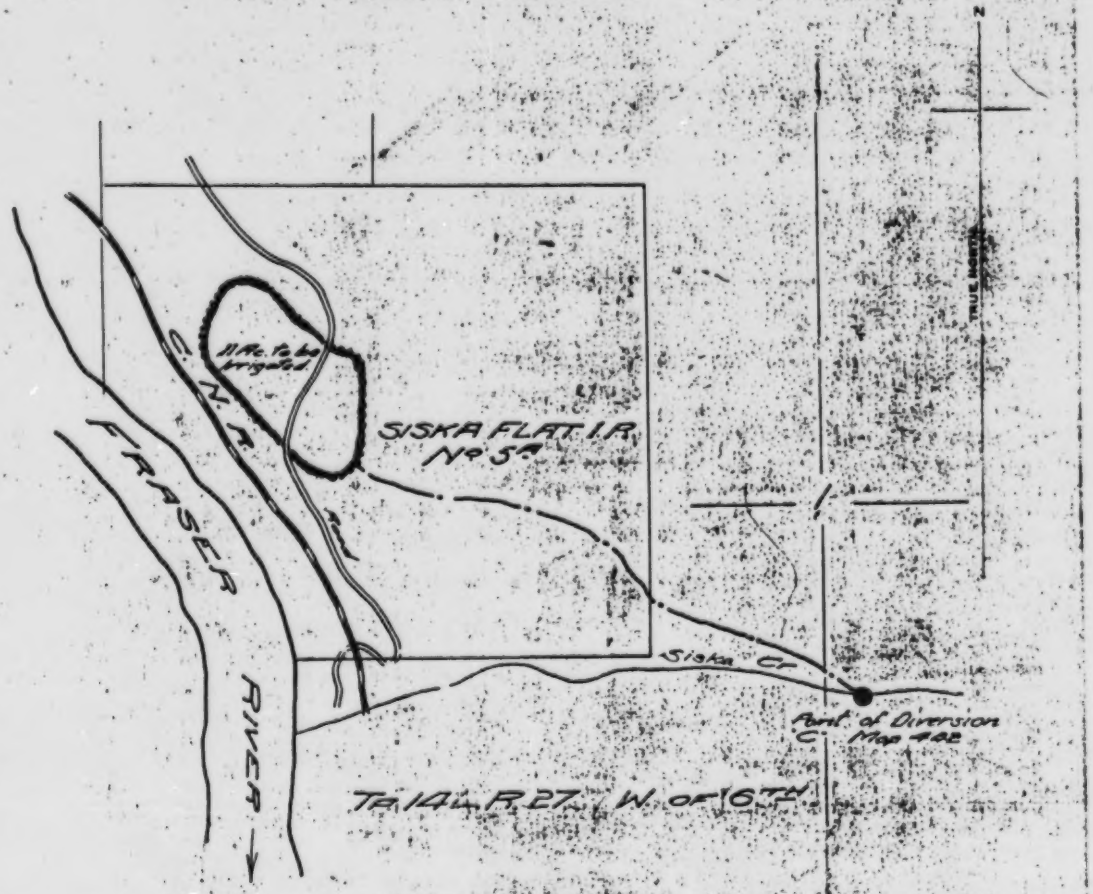
ORIGINAL

British Columbia

To accompany Conditional License No. 5280 Precinct

ASHCROFT WATER DISTRICT

Scale, 10 Chains to 1 Inch.



The boundaries of the land to which this reference is appurtenant are shown shaded.

Signature: E. H. Clemesha

Date: 30 Dec. 1920

C.L. 5280
File 022900

EXHIBIT A

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE
(IRRIGATION)

Appurtenant to 7.2 acres of Siska Flat Indian Reserve No. 6.

WHEREAS H. Graham, Indian Agent, whose post-office address is Lytton, B. C.

as owner or lawful occupant of the land hereinafter specified, has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the preliminary steps required of such applicant under the "Water Act, 1914," prior to the issue of this licence, and is, under the said Act, entitled thereto:

(1.) Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee thereunder the right to take and use water under the following terms and conditions:—

(a.) The source of the water-supply is Pooeyelth Creek

a tributary of Fraser River.

(b.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria.

(c.) The date from which this licence shall take precedence is 2nd July, 1920.

CANCELLED - Sec. 74
21/9/24

(d.) The purpose for which the water is to be used is irrigation.

(e.) The maximum quantity of water which may be used at the place of use when all the lands mentioned in item (g) hereof are under irrigation is, until lawfully altered, 22 acre-feet per annum; and the maximum quantity which may be used per acre at the said place of use in any year is 3 acre-feet: Provided that if any records have been issued, or if any other licences have been or may hereafter be issued, for the use of water upon the said lands, the maximum quantity allowed under this licence shall be reduced by such quantities as may from time to time be used upon the said lands under such other records or licences, including the records or licences at present outstanding, namely, Licence No. ..... from .....
(Stream.)

and Licence No. ..... from .....
(Stream.)

And provided further that in such cases the Comptroller may, after the requisite hydrographic data have been accumulated for determining the particular quantity of water which may be used under this licence, require the surrender thereof for the purpose of readjustment, and may amend the same by stating therein such particular quantity so determined. The maximum quantity which may be diverted from the stream per annum is 3 acre-feet per acre of land irrigated and an additional amount for reasonable seepage and evaporation.

And provided further that there may be used in addition 1000 gallons of water per day throughout the whole year for domestic purpose as being incidental to the irrigation purpose.

Licence Number 5292

Form 1004, W.R.B. (Conditional Licence—Irrigation).—1,000-8-20.

5292
ORIGINAL

(f.) The period of the year during which the water may be used is 1st April to 30th September.

(g.) The area and description of the irrigable lands to which this right may extend on completion of works and beneficial use of the water in the irrigation of the said lands are 7.2 acres, comprising part of Siska Flat Indian Reserve No. 6.

The extent and location of the said irrigable lands are further shown in the said exhibit "A."

(h.) The other terms and conditions respecting the right are:—

(1.) Works for the diversion and the carriage of the water as set forth in the exhibit marked "B" which is hereto attached and hereby made a part hereof shall be constructed in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(2.) The said construction shall be commenced on or before the first day of May, 1921.

(3.) The said construction shall be prosecuted with due diligence and to the satisfaction of the Comptroller, and shall be completed on or before the thirtieth day of November, 1930

(4.) The lands described in clause (g) hereof shall have been properly prepared for irrigation and shall have been irrigated beneficially from the said works on or before the thirtieth day of November, 1930.

(5.)

(i.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(j.) This licence shall not be valid and effective to authorize the construction and maintenance of any works upon, or the use or occupation of any lands belonging to the Crown in the right of Canada unless and until approved by the Minister of the Interior and shall be subject to such terms and conditions as the Minister may prescribe.

(2.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

Issued this thirtieth day of December, 1920.

File No. 022979.

E. F. Cleveland
Comptroller of Water Rights.

Licence Number 5292

5292

ORIGINAL

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

EXHIBIT "B."

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED.)

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered 126114 C.

as altered, amended, or limited by supplemental plans and specifications numbered Plan 1900 - 27

or in letters or other documents referred to as

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

Ditch

File No. 022979.

ENTERED ON
Map No. 541
By

E. H. Cleveland
Comptroller of Water Rights.

5292

Form 1005. W.R.B. (Approval of Plans)—2,000-11-20—(Forming part of Conditional Water Licence No.).

5292

ORIGINAL

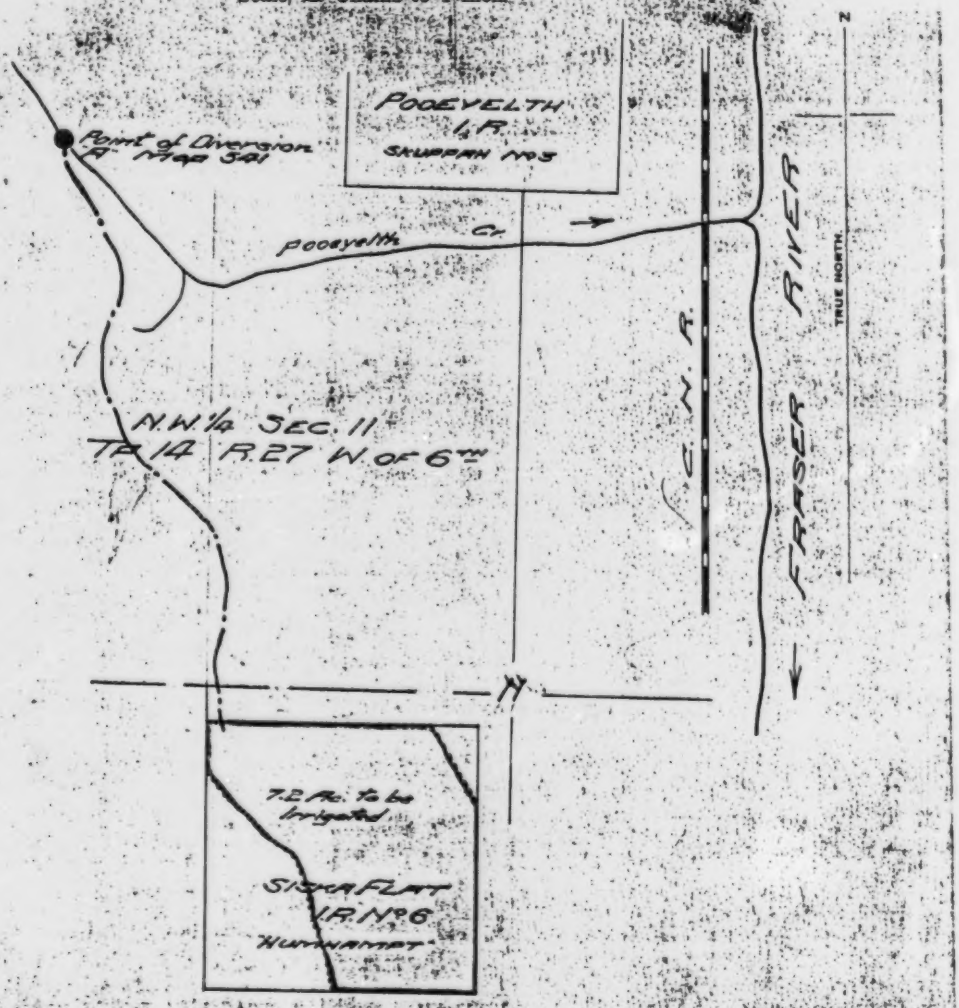
6

British Columbia.

To accompany Conditional Licence No 5292 Precinct

ASHCROFT WATER DISTRICT.

Scale, 80 Chains to 1 Inch.



The boundaries of the land to which this licence is appurtenant are shown shaded.

Signature E. H. Cleveland

Date 30 Dec. 1920

C.L. 5292
File 022979

EXHIBIT A' no

ALL COMMUNICATIONS IN REFERENCE TO WATER MATTERS SHOULD BE ADDRESSED TO COMPTROLLER OF WATER RIGHTS, PARLIAMENT BUILDINGS, VICTORIA, B.C.

23

VICTORIA, B.C.

DEPARTMENT OF LANDS

WATER RIGHTS BRANCH

WATER ACT

Section 74

CANCELLATION ORDER

BEFORE THE COMPTROLLER OF WATER RIGHTS:

In accordance with the notice of proposed cancellation dated the 4th day of July, 1934, Conditional Water Licence 5292 is hereby cancelled.

J. Macdonald

Comptroller of Water Rights.

Dated at Victoria, B. C.
this 21st day of September,
1934.

Copies sent to:
Supt. Gen. of Indian Affairs, Ottawa.
C. E. Webb, Vancouver.
Commissioner of Indian Affairs, Vict
Indian Agent, Lytton.

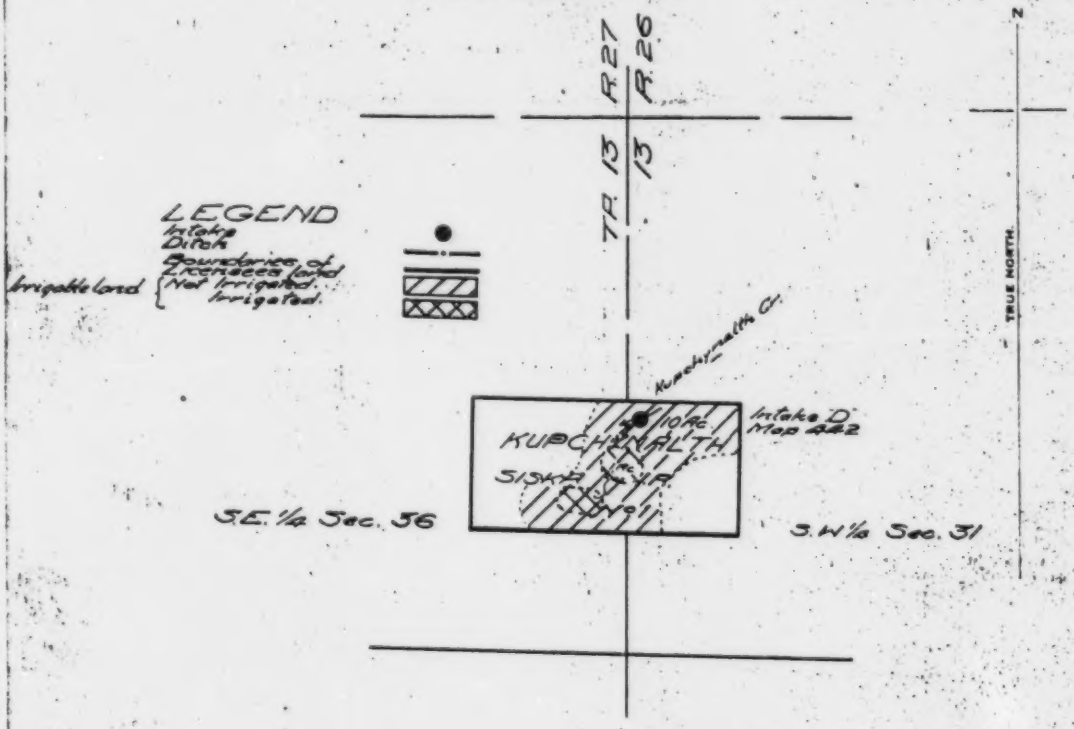
File 022979.

British Columbia.

To accompany Order No 6521 Precinct

ASHCROFT WATER DISTRICT.

Scale, 40 Chains to 1 Inch.



Description of Works constructed.
Ditch.

Signature J.T. Alexander

Date J.T. Shaw
22 Oct. 1923

C.L. 7127 B.O. 6521
File 23-6.1A

EXHIBIT A

PROVINCE OF BRITISH COLUMBIA. | WATER RIGHTS BRANCH. | DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For an Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 6521, a duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to the Kapelgynalth I.R. (Upper) (No.1 Fishn Flats).

Superseded by Final Licence 9018

Made and entered this 22nd day of October, 1923

E. A. Cleveland
Comptroller of Water Rights.

No. 7127

Form No. 1006, W.R.B. (Licence in respect of Board Order)—1,500-12-21—5397.

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER.

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters of Kupchynalth Creek in the neighbourhood of Lytton, in the Ashcroft Water District.

NOW, on the 10th day of June, 1920, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 23-8-1) that, on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster a bona fide application for a record of water from Kupchynalth Creek for use on the Kupchynalth I.R. (Upper) (No.1 Siska Flats) and that water from the said creek has been used for beneficial purposes on the said Indian Reserve.

Form 556, W.H.H.—2,000-12-20.

Order No. 6521.

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The sources of the water supply is Kupchynalth Creek, a tributary of Fraser River.

(*b.*) The points of diversion from the said sources are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date for which the said licence shall take precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 32.7 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is three (3) acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller, the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Kupchynalth I.R. (Upper) (No.1 Sinka Flats) of which 10.9 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1924, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.6521.

Copy for Comptroller

(l.) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of [redacted] gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding [redacted] acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of [redacted] and it may be stored (accumulated) in a reservoir at [redacted] between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(m.) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(n.) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 22nd day of October, 1923

THE BOARD OF INVESTIGATION.

By "J.S.T.Alexander", [redacted].

and "J.R.Lane", *Member.*

ENTERED ON
Map No. 442
By JMW

W.S.D.

Form 587, W.R.B.—2,000-12-20.

Order No. 6521.

Copy for Comptroller

PROVINCE OF BRITISH C[illegible]IA. WATER RIGHTS BRANCH. DEPARTMENT OF [illegible] LANDS.

CONDITIONAL WATER LICENCE.

(For a n Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 6566, a duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to the Sicka Flats I.R. (No.) Sicka Flats).

Superseded by Final Licence 9019

Made and entered this 22nd day of October, 1923

E. A. Cleveland
Comptroller of Water Rights.

No. 7128

Form No. 1006, W.R.B. (Licence in respect of Board Order)—1,500-12-21—8397.

Copy for Comptroller

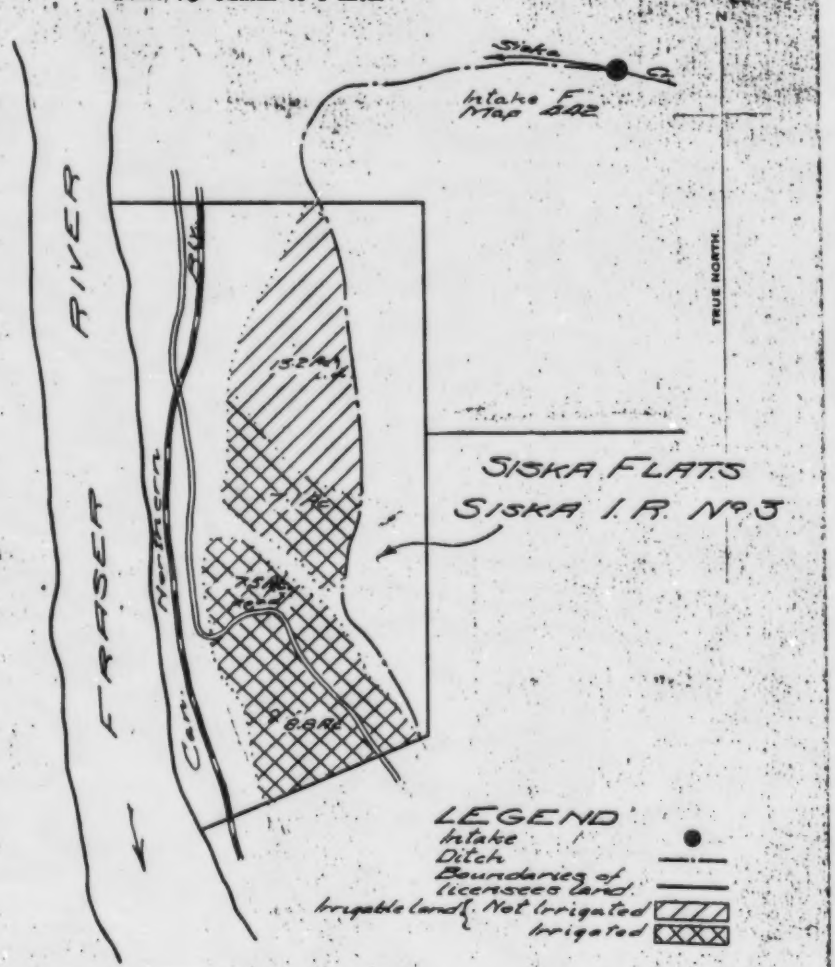
British Columbia.

To accompany Order No 6566 / Precinct

ASHCROFT WATER DISTRICT.

Tp. 14 R. 27 W. of 6TH M.

Scale, 10 Chains to 1 Inch.



Description of Works constructed.
Ditch & Flume

Signature J. St. Alexander

J. S. Shaw

19 Oct 1923

C.L. 7129 B.C. 6566

File 20: 8, I.F.

EXHIBIT A' R.B.

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER.

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Siska Creek

in the neighbourhood of Lytton, in the

Asheroft Water District.

NOW, on the 10th day of June, 1920, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 20-8-1) that, on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster a bona fide application for a record of water from Siska Creek for use on the Siska Flats I.R. (No.3 Siska Flats) and that water from the said creek has been used for beneficial purposes on the said Indian Reserve.

Form 886, W.R.B.—2,000-12-20.

Order No. 6566.

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The sources of the water supply is Siska Creek, a tributary of Fraser River.

(*b.*) The points of diversion from the said sources are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date for which the said licence shall take precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 109.8 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is three (3) acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Siska Flats I.R. (No.3 Siska Flats) of which 36.6 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1924, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.6566.

Copy for Comptroller

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 1000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding [redacted] acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of [redacted] and it may be stored (accumulated) in a reservoir at [redacted] between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 22nd day of October, 1923

THE BOARD OF INVESTIGATION.

By "J.S.T.Alexander", Member.

and "J. E. Lane", *Member.*

ENTERED ON
Map No. 442
By [illegible]

Form 587, W.R.B.—2,000-1920

Order No. 6566.

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For an Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 6567, a duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to Zaaht I.R. (No.5 Sicka Flat).

Superseded by Final Licence 9020

Made and entered this 22nd day of October, 1923

E. A. Cleveland
Comptroller of Water Rights.

No 7129

Form No. 1008, W.R.B. (Licence in respect of Board Order)—1,800-12-21—6307.

Copy for Comptroller

British Columbia.

To accompany Order in C. No 6567 Precinct

ASHCROFT WATER DISTRICT.

Scale, 10 Chains to 1 Inch.

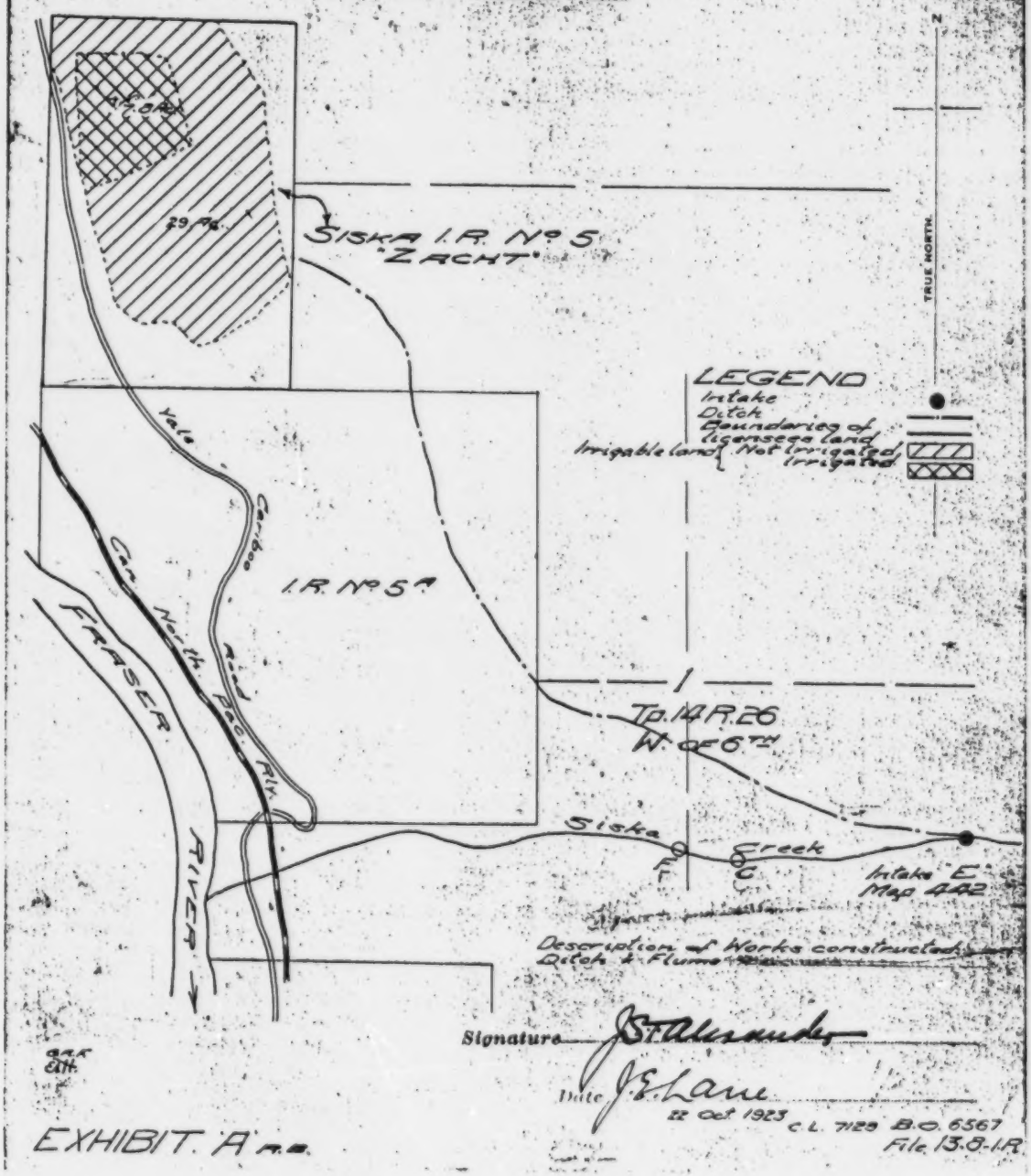


EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER.

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Siska Creek

in the neighbourhood of Lytton, in the

Ashcroft Water District.

NOW, on the 10th day of June, 1920, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 13-8-1) that, on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster a bona fide application for a record of water from Siska Creek for use on the Zacht I.R. (No.5 Siska Flat) and that water from the said creek has been used for beneficial purposes on the said Indian Reserve.

Form 580, W.R.B.—2,000-12-20.

Order No. 6567.

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The source of the water supply is Siska Creek, a tributary of Fraser River.

(*b.*) The points of diversion from the said sources ~~are~~ is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date for which the said licence shall take precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 110.4 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is three (3) acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Lacht I.R. (No.5 Siska Flat) of which 36.8 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1924., and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.6567.

Copy for Comptroller

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 1000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding [redacted] acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of [redacted] and it may be stored (accumulated) in a reservoir at [redacted] between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 22nd day of October, 1923

THE BOARD OF INVESTIGATION.

By "J. S. T. Alexander", Chairman.

and "J. B. Lane", *Member.*

ENTERED ON
Map No. 442
By CWL

Form 587, W.R.B.—2,000-12-20.

Order No. 667.

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For a B Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 541, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to Huntsampt I.R. (No.6 Sinkm Flat).

Superseded by Final Licence 9027

Made and entered this 22nd day of October, 192 3

E. A. Cleveland

Comptroller of Water Rights.

No. 7155

Form No. 1006, W.R.B. (Licence in respect of Board Order)—1,500-1-23—504.

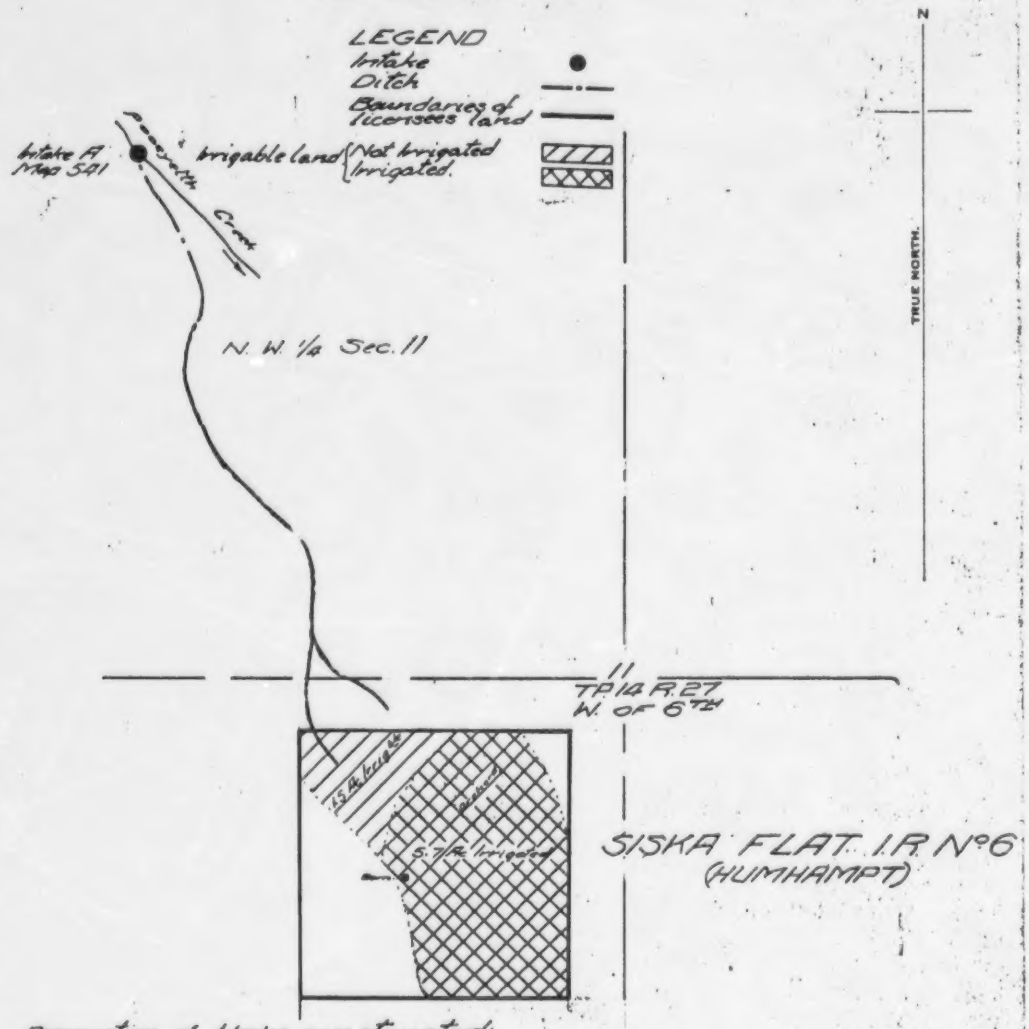
Copy for Comptroller

British Columbia.

To accompany Order No 541 Precinct

ASHCROFT WATER DISTRICT.

Scale, 25 Chains to 1 Inch.



Description of Works constructed:
Ditch.

G.R.F.
Diff.

Signature W. Alexander

J. B. Lane 22 Oct 1923

C.L. 7155 B.O. 541
File 6.15.1

EXHIBIT. A

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER.

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters

of Peeyelth Creek

in the neighbourhood of Lytton, in the

Ashcroft Water District.

NOW, on the 11th day of June, 1920, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 6-13-1) that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster a bona fide application for a record of water from Peeyelth Creek, a tributary of Fraser River, for use on the Nkamhapt I.R. (No.6 Siska Flat), and that water from the said creek has been used for beneficial purposes on the said Indian Reserve.

Form 580, W.R.B.—2,000-12-20.

Order No. 541.

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The sources of the water supply is Peeyalth Creek, a tributary of Fraser River.

(*b.*) The points of diversion from the said sources are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date ~~for~~ from which the said licence shall take precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 21.6 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is three (3) acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Rumhumpt I.R. (No.6 Siuka Flat) of which 7.2 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1924, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No. 541.

Copy for Comptroller

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 500 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding [redacted] acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of [redacted] and it may be stored (accumulated) in a reservoir at [redacted] between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 22nd day of October, 1923.

THE BOARD OF INVESTIGATION.

By "J.E.T.Alexander", Chairman. Member.

and "J.E.Lane", *Member.*

Map No. 54
By DWJ

WD

Form 387, W.R.B.—2,000-12-20.

Order No. 541.

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA. | WATER RIGHTS BRANCH. | DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For a n **Irrigation** Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, 1914," duly held an investigation respecting the water set out in the order No. 6723, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a **conditional** licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, 1914," issue this **conditional** licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to **the Nahamenk I.R. (No.7 Sinka).**

Made and entered this 22nd day of October, 192 3

re. Imp F9076

W. A. Cleveland
Comptroller of Water Rights.

No. 7156

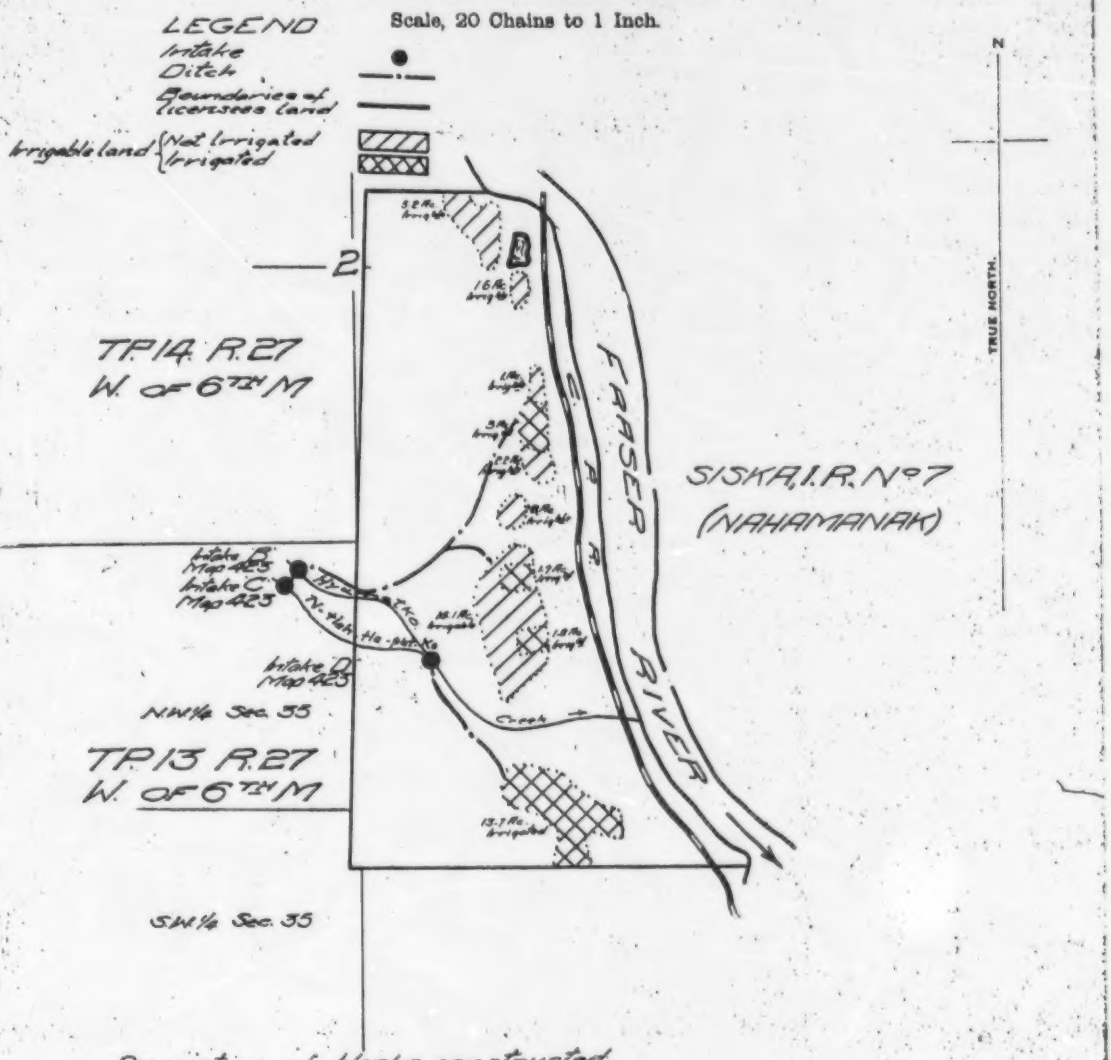
Form No. 1006, W.R.B. (Licence in respect of Board Order)—1,500-1-23—504.

Copy for Comptroller

British Columbia.

To accompany Order No 6723 Precinct

ASHCROFT WATER DISTRICT.



Description of Works constructed
Ditches:

G.A.F.
C.H.

Signature J.T. Alexander

Date J.B. Shaw 22 Oct 1923

C.L. 7156 B.O. 6723
File 10.15.1

EXHIBIT A 28.

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

DETERMINATION AND ORDER.

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, 1914."

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters of Nyumatko and N-tlah-tla-pat-ko Creeks in the neighbourhood of Lytton, in the Ashcroft Water District.

NOW, on the 11th day of June, 1920, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 10-13-1) that on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster a bona fide application for a record of water from Nyumatko Creek and N-tlah-tla-pat-ko Creek, tributaries of Fraser River, for use on the Nahamnak I.R. (No.7 Siska), and that water from the said creeks has been used for beneficial purposes on the said Indian Reserve.

Form 586, W.R.B.—2,000-12-20. Order No. 6783.

Copy for Comptroller

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The sources of the water supply are Nyumatko Creek and N-tlah-tla-pat-ko Creek, tributaries of Fraser River.

(*b.*) The points of diversion from the said sources are located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date from which the said licence shall take precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 136.5 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is three (3) acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Nahamnak I.R. (No.7 Bicka) of which 45.5 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1924, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Board Order No.6723.

Copy for Comptroller

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 1,000 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding [redacted] acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of [redacted] and it may be stored (accumulated) in a reservoir at [redacted] between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part V. of the "Water Act, 1914," and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 117 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 22nd day of October, 1923

THE BOARD OF INVESTIGATION.

By "J.B.T.Alexander", ~~Chairman~~ Member.

and "J.E.Lane", *Member.*

ENTERED ON
Map No. 423
By DAW

Form 387, W.R.B.—2,000-12-20.

Order No. 6723.

Copy for Comptroller

PROVINCE OF BRITISH COLUMBIA. WATER RIGHTS BRANCH. DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

(For an Irrigation Purpose.)

WHEREAS the Board of Investigation, constituted and acting under the "Water Act, ~~1914~~," duly held an investigation respecting the water set out in the order No. 6523, duplicate of which is hereto attached, and in the said order directed the Comptroller of Water Rights to issue a conditional licence in respect of the particular record and claim respectively set out therein, and further therein named the terms and conditions to be embodied in the said licence:

NOW, THEREFORE, I, Comptroller of Water Rights of the Province of British Columbia, in pursuance of the said order and in conformity with the "Water Act, ~~1914~~," issue this conditional licence, and declare the rights in and to the use of the said waters held under the said record in respect of the said claim to be such as are set out in the said order; and the terms and conditions of the said order and any exhibits which are therewith incorporated are hereby incorporated herewith and form a part hereof. This licence is appurtenant to Kupchynalth Indian Reserve (Lower) (No.2, Siska Flat).

CANCELLED - Sec. 4 of 2/9/26

F.W.D. Destroyed 1945

Made and entered this 19th day of December, 1924

E. H. Cleveland
Comptroller of Water Rights.

No. 7882

Form No. 1006, W.R.B. (License in respect of Board Order)—500-324-5764

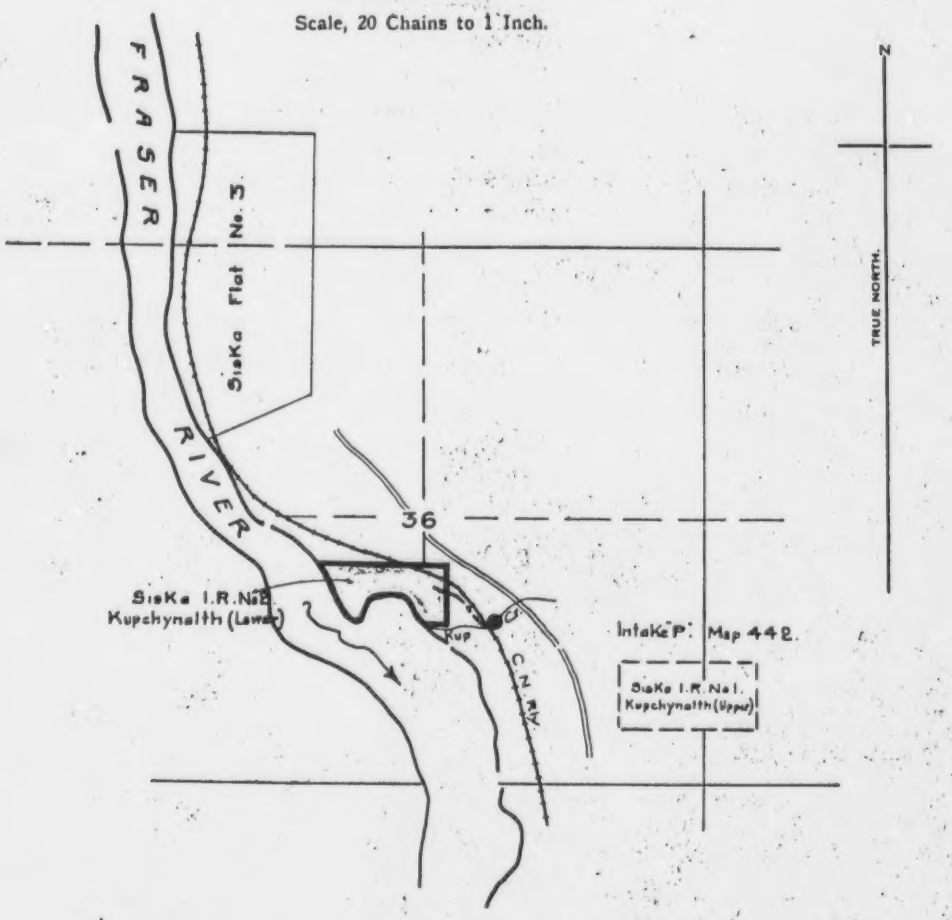
ORIGINAL

British Columbia

To accompany Board Order No. 6523

ASHCROFT——WATER DISTRICT.

Scale, 20 Chains to 1 Inch.



Tp. 13. R. 27. W. 6th M.

LEGEND
Intake ●
Ditch — · —
Road ═══

The boundaries of the land to which this licence is appurtenant are shown shaded.

7·8 acres within the said boundaries are claimed to be irrigable.

EXHIBIT "A"

250-124-4837

Description of Works to be constructed,

Ditches.

Signature J. T. Alexander

R.B. J. Shane 19 Dec 1924

(C.L. 7882) B.O. 6523

File 24·8·I.R.

PROVINCE OF BRITISH COLUMBIA. | WATER RIGHTS BRANCH. | DEPARTMENT OF LANDS.

DETERMINATION AND ORDER

(FOR A CONDITIONAL WATER LICENCE FOR IRRIGATION PURPOSES.)

BY THE BOARD OF INVESTIGATION
UNDER THE "WATER ACT, ~~1914~~"

In the Matter of the Claims of the Department of Indian Affairs to Rights to the Use of the Waters of Kup Creek, a tributary of Fraser River, in the neighbourhood of Lytton, in the Ashcroft Water District.

NOW, on the 10th day of June, 1920, the above-entitled matter coming on regularly for final hearing before the Board of Investigation; due notice having been given of the time and place of hearing; all and every the steps required under the Act to be taken by the Board before a determination of the said rights and claims should be made having been taken; all evidence, testimony, and proofs filed with the Board or presented in the above-entitled matter having been duly considered; a quorum of the Board being present at the hearing; and the Board being now fully advised in the premises, determines with respect to the said claims (which are on file and designated as Indian File No. 24-8-1) that, on the 26th day of September, 1888, there was filed in the office of the Dominion Lands Agent at New Westminster, B.C., a bona fide application for a record of water from Kup Creek, a tributary of Fraser River, for use on the Kupchynalth Indian Reserve (Lower) (No.2, Siska Flat) and that water from the said creek has been used for beneficial purposes on the said Indian Reserve.

ORIGINAL

2. The claims of the Department of Indian affairs with respect to the said waters are allowed by the Board to the extent hereinafter specified, and the Comptroller of Water Rights is hereby directed to issue a conditional licence in respect thereof embodying the following terms and conditions:—

(*a.*) The source of the water supply is Kup Creek, a tributary of Fraser River.

(*b.*) The point of diversion from the said sources ~~are~~ is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which exhibit is on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(*c.*) The date ~~for~~ from which the said licence shall take precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation.

(*e.*) The maximum quantity of water per annum which may be used when irrigation is extended to all the lands mentioned in subclause (*g*) of this clause, until lawfully altered, is 22.5 acre-feet, and the maximum quantity of water which may be used per annum on each acre actually irrigated until lawfully altered is 3 acre-feet: Provided that where sources of supply other than those named in subclause (*a*) hereof are drawn upon for the irrigation of a part or all of the same lands as are described in subclause (*g*) hereof, the maximum quantity of water which may be used under the licence hereby directed to be issued shall be reduced by the quantity which the licensee may be entitled to use from said other sources of supply: Provided further that when the Engineer of the Water District has accumulated the requisite hydrographic data for determining to the satisfaction of the Comptroller the *pro rata* part of the said total quantity to be apportioned to the licence hereby directed to be issued, the Comptroller shall require the surrender of the licence, and shall amend the same by stating the particular quantity to which the licensee is entitled from the particular sources named therein.

(*f.*) The period of the year during which the water may be used is between the first day of April and the thirtieth day of September.

(*g.*) The water may be used on the Kuphymalth Indian Reserve (Lower) (No.2, Siska Flat) of which 7.5 acres are said to be irrigable. The extent and location of the said irrigable lands are more particularly shown in the said Exhibit "A."

(*h.*) The works which are required to be constructed before the issue of a final licence are the clearing, stumping, and levelling of the irrigable lands on the said reserve and the additional works required for conducting thereto the maximum quantity of water hereby authorized to be diverted.

(*i.*) The execution of the said works shall be commenced or resumed on or before the first day of June, 1925, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(*j.*) The said works shall be completed and the quantity of water to which the licensee is entitled beneficially used for the purpose set out in the licence on or before the first day of November, 1930.

(*k.*) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

Form 587 (2), W.R.B.—1M-1024-7719

Board Order No.6523.

ORIGINAL

(*l.*) The nature and the extent of the incidental uses permitted under the licence are: For domestic purposes, the use of 500 gallons a day of water from any or all the said sources of supply during the whole of the year; and for storage purpose, such quantity of water (not exceeding ---------- acre-feet) as, together with the natural flow-water used hereunder, will be necessary to secure to the licensee the quantity granted hereunder. The water which may be so stored shall be that of ---------- and it may be stored (accumulated) in a reservoir at ---------- between the first day of October in each year and the first day of June in the succeeding year, and may be used as provided for in subclauses (*d*), (*e*), and (*f*) of this clause, but such uses shall not enlarge the quantity of water allowed by subclause (*e*) hereof.

(*m.*) The Board may extend the time for the commencement, resumption, or completion of the execution of the works on being satisfied that it is in the public interest and that it will not injuriously affect the rights of any licensee.

(*n.*) The licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part ~~V~~. IV. of the "Water Act, ~~1914~~;" and shall be subject to all the provisions of the said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section ~~117~~ 77 of the said Act.

3. Pending the issue of the licence hereby authorized to be issued, the terms and conditions of this order shall govern the respective rights of the record-holders or claimants affected thereby.

Made and entered this 10th day of December, 192 4

THE BOARD OF INVESTIGATION.

By J. T. Alexander, Chairman. Member.

and J. E. Lane, Member.

ORIGINAL

WATER ACT

Section 74

IN THE MATTER OF Conditional Water Licence 7882, dated 19th December, 1924, granted to the Department of Indian Affairs, authorizing the diversion and use of water from Kup creek for irrigation purpose on Kupchynalth Indian Reserve (Lower) (No.2, Siska Flat).

.....

YOU ARE HEREBY NOTIFIED that you have failed to prove to my satisfaction:

(a) that the construction of the works authorized under the above mentioned licence was begun within the time fixed therefor, and

(b) that the construction of the said works was prosecuted with due diligence.

AND YOU ARE FURTHER NOTIFIED that on the 31st day of July, 1954, I propose to cancel the said Conditional Water Licence 7882.

DATED at Victoria, B.C. this 19th day of June, 1954.

J. Macdonald

Comptroller of Water Rights.

File 24-8-1.

TO:

Supt.-Gen.of Indian Affairs,
Ottawa, Canada.
C.E. Webb, Dist.Chief Engineer,
Vancouver, B.C.
Commissioner of Indian Affairs,
Victoria, B.C.
Indian Agent, Lytton, B.C.

Registered

ALL COMMUNICATIONS IN REFERENCE TO WATER MATTERS SHOULD BE ADDRESSED TO COMPTROLLER OF WATER RIGHTS, PARLIAMENT BUILDINGS, VICTORIA, B.C.

THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

VICTORIA, B.C. .....

DEPARTMENT OF LANDS

WATER RIGHTS BRANCH

WATER ACT

Section 74

CANCELLATION ORDER

BEFORE THE COMPTROLLER OF WATER RIGHTS:

In accordance with the notice of proposed cancellation dated the 19th day of June, 1934, Conditional Water Licence 7882 is hereby cancelled.

Dated at Victoria, B.C., this 21st day of September, 1934.

J. Macdonald

Comptroller of Water Rights.

File 24-8-1.

Copies sent to:
Supt. Gen. of Indian Affairs, Ottawa.
C. K. Nebb, Vancouver.
Commissioner of Indian Affairs, Vict.
Indian Agent, Lytton.

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.
(IRRIGATION.)

Appurtenant to 22.2 acres of Siska Flat Indian Reserve #8.

WHEREAS SUPERINTENDENT GENERAL OF INDIAN AFFAIRS, whose post-office address is Ottawa, Canada.

as owner or lawful occupant of the land hereinafter specified, has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the preliminary steps required of such applicant under the "Water Act" prior to the issue of this licence, and is, under the said Act, entitled thereto:

Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee hereunder the right to take and use water under the following terms and conditions:—

(1.) The source of the water-supply is Siska Creek, located as shown on the exhibit "A" hereto attached.

(2.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof, the original of which is attached to the counterfoil of this licence on file in the office of the Comptroller of Water Rights, Parliament Buildings, Victoria, B.C.

(3.) The date from which this licence shall take precedence is 13th March, 1929. Superseded by Final Licence 9022

(4.) The purpose for which the water is to be used is irrigation and incidentally domestic use.

(5.) The maximum quantity of water which may be diverted for use upon the lands mentioned in clause (7) hereof when all of the said lands are under irrigation is, until lawfully altered 68 acre-feet per annum, and such additional quantity as the District Engineer may from time to time determine should be allowed for seepage and evaporation; and the maximum quantity which may be used on any acre of the said lands in any year is 3 acre-feet: Provided that of the said 68 acre-feet there may be used 1000 gallons of water a day throughout the whole year for domestic purpose.

(6.) The period of the year during which the water may be used for irrigation is 1st April to 30th September.

(7.) The area and description of the lands upon which the water may be used are 22.2 acres, comprising part of Siska Flat Indian Reserve #8.

The extent and location of the said irrigable lands are further shown in the said exhibit "A."

Licence Number 10080

W.R.B. 1004 (1)—Conditional Licence—Irrigation—1M-927-0412

File No. 085991

(8.) The said lands shall be properly prepared for irrigation and irrigated beneficially from the said works on or before the 30th day of September, 19 32

(9.) Works for the diversion and the carriage of the water as set forth in the exhibit marked "B" which is hereto attached made a part hereof shall be constructed in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

The said construction shall be commenced on or before the 31st day of August, 19 29

The said construction shall be prosecuted with due diligence and to the satisfaction of the Comptroller and shall be completed on or before the 30th day of September, 1932

(10.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(11.) This licence is supplementary to ---------- Licence No. ---------- for the diversion of ---------- acre-feet per annum from ---------- and Licence No. ---------- for the diversion of ---------- acre-feet per annum from ---------- but no more than ---------- acre-feet of water (exclusive of the quantity allowed for seepage and evaporation) may be diverted from all sources for use upon the lands described in clause 7 hereof.

(12.) This licence is subject to readjustment when hydrometric surveys have been made of the sources of supply mentioned in clauses (1) and (11) hereof and complete information obtained respecting the requirements of all lands watered therefrom and the licensee shall surrender the licence for amendment when called upon to do so.

(13.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part II. of the "Water Act," and shall be subject to all the provisions of said Act, including especially the provisions of section 74 thereof requiring the filing of proof of the completion of the said works and of making beneficial use of the water as authorized within the time herein prescribed.

(14.) This licence does not authorize the construction or maintenance of any works upon or the use or occupation of any lands belonging to the Crown in the right of Canada unless and until such construction or maintenance is approved or such use or occupation authorized by the Minister of the Interior.

Issued this 20th day of July, 19 29

File No. 085991

D.A. Macdonald

Comptroller of Water Rights.

Licence Number 10080

W.R.B. 1004 (2)—Conditional Licence—Irrigation—1M-027-8451

ORIGINAL

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

EXHIBIT "B"

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED).

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered 681891 B

as altered, amended, or limited by supplemental plans and specifications numbered

or in letters or other documents referred to as

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

Ditch and flume

File No. 085991

ENTERED ON Map No. 442

J. Macdonald

Comptroller of Water Rights.

W.R.B. 1008 (Approval of Plans)—5M-628-2474—Forming part of Conditional Water Licence No. 16080

ORIGINAL

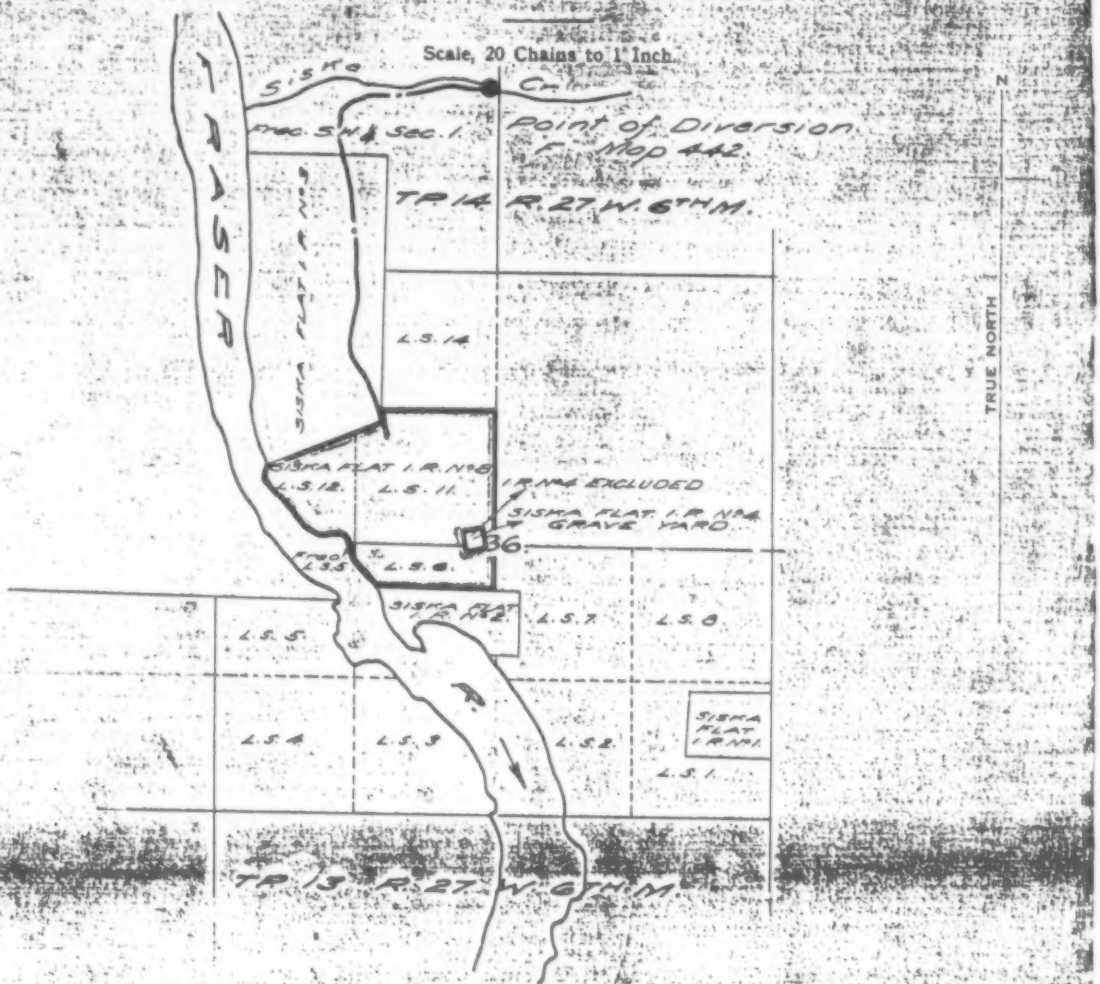
8

British Columbia.

To accompany Conditional Licence No. 10080

ASHCROFT WATER DISTRICT.

Scale, 20 Chains to 1 Inch.



The boundaries of the land to which the above licence is appurtenant are shewn shaded and 122 Acs within the said boundaries are claimed to be irrigable.

Signature James Donald

Date 20th July 1929

C.L. 10080

File 035991

W.G.P.
E.H.

EXHIBIT "A"

R B

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

CONDITIONAL WATER LICENCE.

For Power purpose.

Appurtenant to that part of Siska Indian Reserve Number 5 A on which is situate a power house and appendages thereto

WHEREAS HELEN LOUISE GAUGH as owner or lawful occupant of the land, mine, or undertaking hereinafter specified has applied for a licence to take and use water in the manner hereinafter set out, and has taken all the steps required of such applicant under the "Water Act," prior to the issue of this licence, and is, under the said Act, entitled thereto:

Now, therefore, in pursuance of the said Act, this conditional licence is issued, granting the licensee hereunder the right to take and use water under the following terms and conditions:—

(a.) The source of the water-supply is Siska (Cisco) Creek a tributary of Fraser River

(b.) The point of diversion from the stream is located as shown in the exhibit marked "A" hereto attached, which is incorporated herewith and made a part hereof.

(c.) The date from which this licence and the right to take and use water thereunder shall take precedence is 9th August, 1930

(d.) The water is to be used for Power purpose and incidentally for - - - - purpose.

(e.) The maximum quantity of water which may be used at the place of use is:—

\- - - -

For Power purpose 0.4 cubic feet per second

For - - - - purpose - - - -

and an additional amount may be diverted to provide against reasonable loss by seepage and evaporation in conveyance from the point of diversion to the place of use.

(f.) The period of the year during which the water may be used is Superseded by the whole year Final Licence 9172

(g.) The area and description of the lands or mines upon which the water may be used are that part of Siska Indian Reserve Number 5A on which is situate a power house and appendages thereto.

which area and description are more particularly shown in the said exhibit "A."

File Number 092569 Licence Number 10650

W.R.B. 1002 (1)—1M-830-660. (Conditional Licence—Domestic, Mining, Miscellaneous, etc.)

(h.) The works which are required to be constructed consist of all the works set out in the exhibit marked "B" hereto attached, which is incorporated herewith and made a part hereof.

(i.) The construction of the said works has already been commenced ..... day~~s~~ ~~for~~, ~~1~~~~9~~~~3~~~~2~~, and shall be prosecuted with due diligence and in a workmanlike manner and to the satisfaction of the Comptroller of Water Rights.

(j.) The said construction shall be completed and the water beneficially used for the purpose set out in this licence on or before the 30th day of September, 1932.

- - - -

(k.)

(l.) Before any change is made in the said works which would be a material deviation from the plans as approved or the works as accepted by the Comptroller, plans of such proposed change must be filed with the Comptroller and approved by him.

(m.) This licence shall not in any way be deemed to be a final licence for the use of water, but shall have the effect only of a conditional licence issued under Part II. of the "Water Act," and shall be subject to all the provisions of said Act, including the filing of proof of the completion of the said works and the putting of the water to such beneficial use within the time limited by the provisions of section 74 of the said Act.

Issued this 15th day of December, 1930.

Comptroller of Water Rights.

File Number 092569

Licence Number 10650

N.B.—In order that statements of rentals due the Province shall be sent to the proper party, notice of the date of any change in the ownership of the lands, mines, or undertaking specified in this licence should be filed with the Comptroller of Water Rights by the new owner.

W.R.B. 1002 (2)—1M-1036-2775. (Conditional Licence—Domestic, Mining, Miscellaneous, etc.)

ORIGINAL

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

EXHIBIT "B"

(APPROVAL OF PLANS AND LIST OF WORKS TO BE CONSTRUCTED).

The works which are accepted as necessary and suitable for the taking and (or) using of the water under the above-mentioned licence, and which are more fully set out in the plans and specifications filed in the office of the Comptroller of Water Rights numbered .....

766794 B

as altered, amended, or limited by supplemental plans and specifications numbered.....

or in letters or other documents referred to as.....

which plans and specifications as thus altered, amended, or limited are hereby approved, are as follows:—

Ditch & pipe

092569.

.....
Comptroller of Water Rights.

W.R.B. 1008 (Approval of Plans)—6M-628-2474—Forming part of Conditional Water Licence No. 10650

ENTERED ON
A.R.
By

ORIGINAL

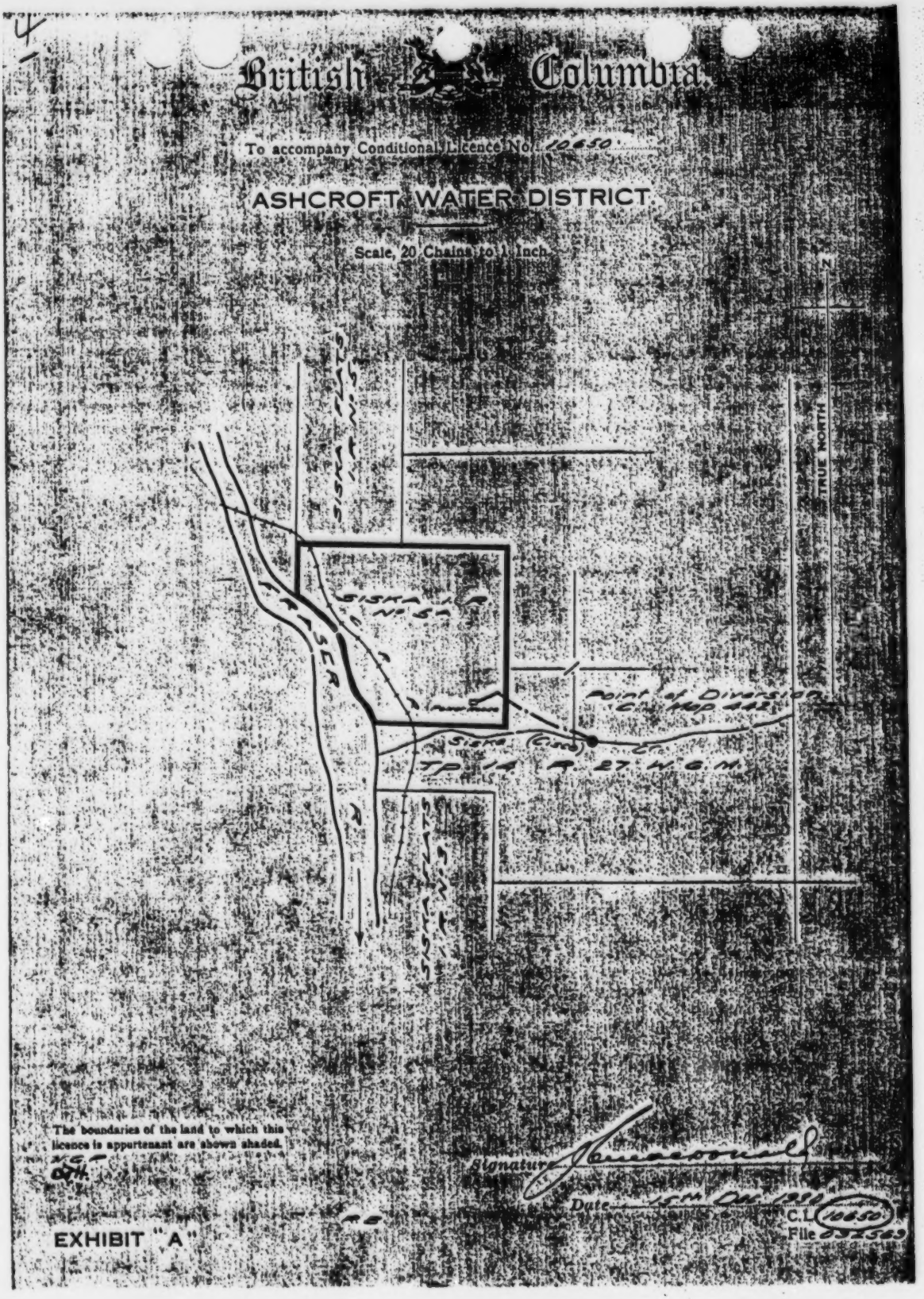
4

British Columbia

To accompany Conditional Licence No. 10650

ASHCROFT WATER DISTRICT

Scale, 20 Chains to 1 Inch



The boundaries of the land to which this licence is appurtenant are shown shaded.

Signature

Date 15th Dec 1950

C.L. (10650)

File 0325269

EXHIBIT "A"

Province of
British Columbia
Ministry of
Environment,
Lands and Parks

BC
Lands and Water
Management

Water Management Division
765 Broughton Street
Victoria
British Columbia
V8V 1X4

ORDER

WATER ACT

Section 15

File No. 0189524

IN THE MATTER OF Conditional Water Licence 20503, which authorizes the diversion of 6 acre feet per annum and 10,000 gallons a day from Keray Spring for irrigation and domestic purposes on Indian Reserve No. 5A, Siska Flat;

HAVING DETERMINED THAT the water is being used for a purpose which is different than the purpose specified in the licence and that no person's rights will be injuriously affected, I hereby amend clauses (d), (e) and (f) of said licence to read as follows:

(d) The purpose for which the water is to be used is irrigation and industrial (lodge)

(e) The maximum quantity of water which may be diverted for irrigation purpose is 6 acre feet per annum and for industrial (lodge) purpose is 10,000 gallons a day

(f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for industrial (lodge) purpose is the whole year

and to delete clause (j).

Dated at Victoria, British Columbia, this 4th day of April, 1995.

J. E. Farrell
Deputy Comptroller of Water Rights

Printed on Recycled Paper

British Columbia
Handle with care

W.R.B. 13—5k. (2)

PROVINCE OF BRITISH COLUMBIA

Water Rights Branch

DEPARTMENT OF LANDS AND FORESTS

CONDITIONAL WATER LICENCE

KERAY LEACHTY of Siska Lodge, Lytton, B. C. is

hereby authorized to divert and use water as follows:—

(a) The source of the water-supply is Keray Spring.

(b) The point of diversion is located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 25th June, 1951.

(d) The purpose for which the water is to be used is Irrigation and Domestic.

(e) The maximum quantity of water which may be diverted for irrigation purpose is 6 acre feet per annum and for domestic purpose is 10,000 gallons a day and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for domestic purpose is the whole year.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Indian Reserve No. 5^{A}, Siska Flat, of which 2 acres may be irrigated.

(h) The works authorized to be constructed are pipe and flume

and they shall be located approximately as shown on the attached plan.

(i) The construction of the said works has already been commenced of , and shall be completed and the water beneficially used on or before the 31st day of December, 1953.

(j) This licence authorizes the use of water (for domestic use) in the lodge on the land described in clause (g) at the date hereof and in any lodge built to replace the same but not in any other lodge.

ENTERED ON Map No. 442 By A.L.

(E.H.Tredcroft)
Comptroller of Water Rights.

File No. 0189524 Date issued February 1, 1952 Licence No. 20503

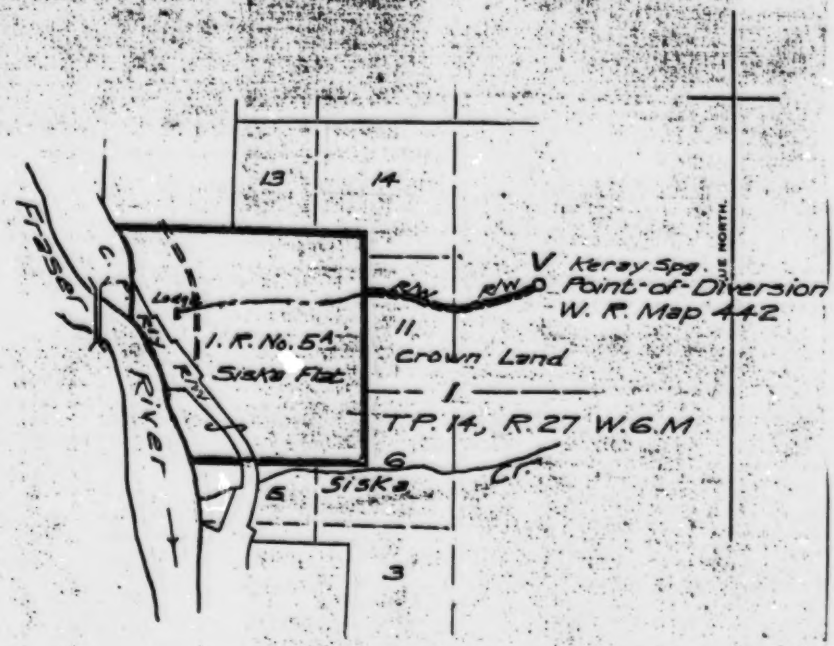
5.

British Columbia.

To accompany Conditional licence No. 20503
And Permit for Right-of-Way over Crown ..... Province.

ASHCROFT WATER DISTRICT

Scale, 20 Chains to 1 Inch.



~~Yale~~ Kamloops Div. of Yale Land Dist.

Kamloops Land Reg. Dist.

LEGEND

Point-of-Diversion O

Flume & Pipe

Right-of-Way

The boundaries of the land to which this licence is appurtenant are shown thus:

Signature

Date 2nd Feb, 1952

EXHIBIT "A"

C.L. 20503

For R/W see Ref. Map 88(B-4) File 0185524

DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES
WATER RESOURCES SERVICE
VICTORIA, BRITISH COLUMBIA

ORDER

WATER ACT

Section 15

FILE NO. 0085991

In the matter of Conditional Water Licence 40272, which authorizes the diversion of water from Siska Creek for irrigation and domestic purpose.

Having received an application for Change of Works and being satisfied that no person's rights will be injuriously affected, I hereby amend Clauses (b) and (h) of the said licence to read as follows:

(b) The point of diversion is located as shown on the attached amended plan.

(h) The works authorized to be constructed are diversion structure, pipe, reservoir and sprinkler system, which shall be located approximately as shown on the attached amended plan.

Dated at Victoria, B.C. this 27th day of May, 1975.

A.K. Sutherland,
Deputy Comptroller of Water Rights.

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

The Superintendent-General of Indian Affairs (Lytton Agency) of Ottawa, Ontario

is/are hereby authorized to divert and use water as follows:—

(a) The source(s) of the water-supply is/are Siska Creek.

(b) The point(s) of diversion is/are located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 13th March, 1929.

(d) The purpose for which the water is to be used is irrigation and domestic.

(e) The maximum quantity of water which may be diverted for irrigation purpose is 66.6 acre feet per annum and for domestic purpose is 1,000 gallons a day,

and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for domestic purpose is the whole year.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Indian Reserve No.8 (Siska Flat), Kamloops Division of Yale District, of which 22.2 acres may be irrigated.

(h) The works authorized to be constructed are diversion structure, pump, pipe, reservoir and sprinkler system,

which shall be located approximately as shown on the attached plan.

(i) The construction of the said works shall be commenced on or before the 30th day of June, 1973, and shall be completed and the water beneficially used on or before the 31st day of December, 1975.

(j) This licence authorizes the use of water for domestic purpose in two dwellings located approximately as shown on the attached plan.

(k) This licence is issued in substitution of Final Water Licence 9022, under Section 15 of the Water Act.

H. D. Delbeck,
Comptroller of Water Rights.

File No. 085991 Date issued: 15 January 1973 Conditional Licence No. 40272

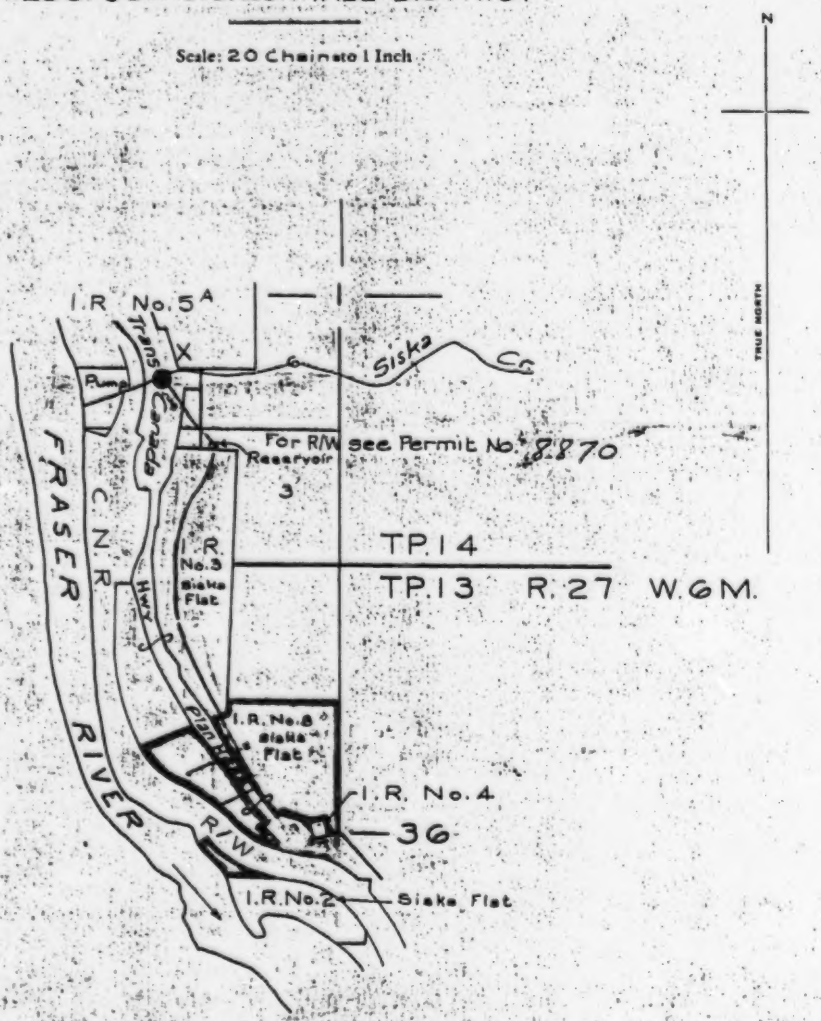
ENTERED ON
Map No. 44.2
By GHR

British Columbia

ASHCROFT WATER DISTRICT

KAMLOOPS DIVISION OF YALE DISTRICT

Scale: 20 Chains to 1 Inch



LEGEND

Point of Diversion ●

W.R. Map 442

Pipe — — —

The boundaries of the land to which this licence is appurtenant are shown thus: ———

Signature

Date 15th Jan. 1975.

C.L. 40272 for F.L. 902 2

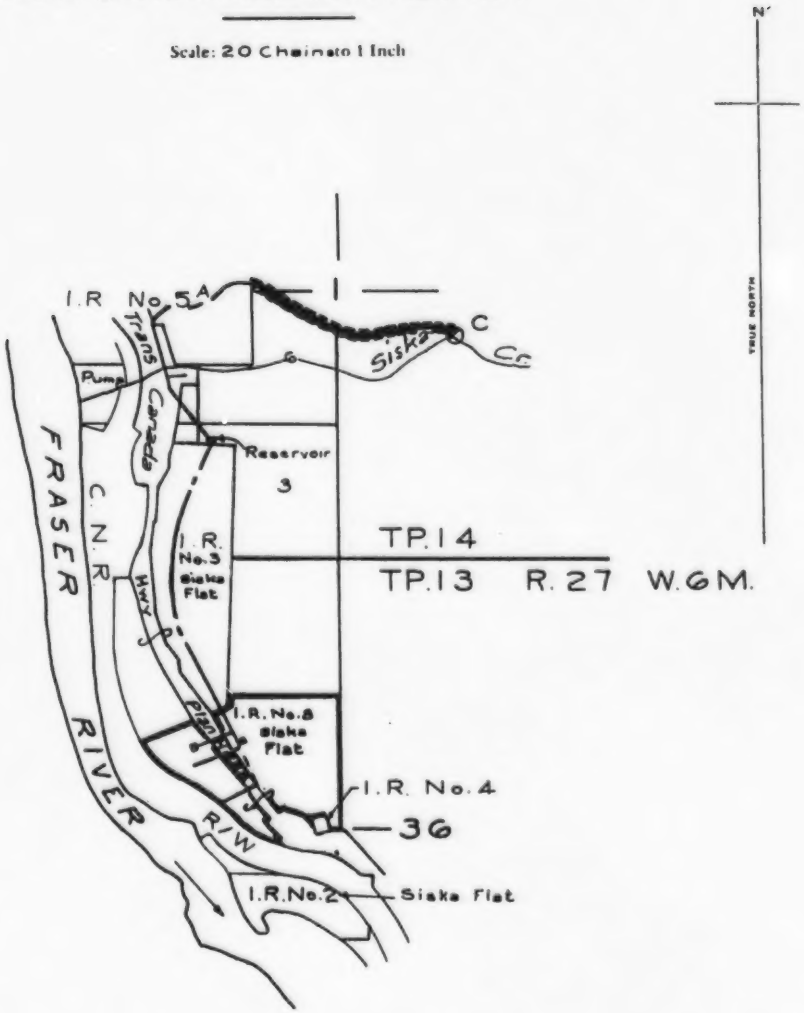
File 085991

LYTTON PRECINCT

British Columbia

ASHCROFT WATER DISTRICT
KAMLOOPS DIVISION OF YALE DISTRICT

Scale: 20 Chains to 1 Inch



LEGEND

Point of Diversion ⊖
W.R. Map 442
Pipe — — —
Right of Way [redacted]

The boundaries of the land to which this licence is appurtenant are shown thus: ———

Signature A.F. Sutherland

Date 27th May 1975
Amended C.L. 40272
File 085991
R/W Permit No. 9949

LYTTON PRECINCT

100-870-0615

ORDER

WATER ACT

Section 15

FILE NO. 0241049

In the matter of Conditional Water Licence 40273, which authorizes the diversion of water from Siska Creek for irrigation and domestic purpose.

Having received an application for Change of Works and being satisfied that no person's rights will be injuriously affected, I hereby amend Clauses (b) and (h) of the said licence to read as follows:

(b) The points of diversion are located as shown on the attached amended plan.

(h) The works authorized to be constructed are diversion structures, pipe, ditch, reservoir and sprinkler system, which shall be located approximately as shown on the attached amended plan.

Dated at Victoria, B.C. this 9th day of June, 1975.

A.K. Sutherland

A.K. Sutherland,
Deputy Comptroller of Water Rights.

WATER RESOURCES SERVICE
WATER RIGHTS BRANCH

DEPARTMENT OF LANDS, FORESTS, AND WATER RESOURCES

THE PROVINCE OF BRITISH COLUMBIA—WATER ACT

CONDITIONAL WATER LICENCE

The Superintendent-General of Indian Affairs (Lytton Agency) of OTTAWA, Ontario

is/are hereby authorized to divert and use water as follows:—

(a) The source(s) of the water-supply is/are Siska Creek.

(b) The point(s) of diversion is/are located as shown on the attached plan.

(c) The date from which this licence shall have precedence is 26th September, 1888.

(d) The purpose for which the water is to be used is irrigation and domestic.

(e) The maximum quantity of water which may be diverted for irrigation purpose is 76.6 acre feet per annum and for domestic purpose is 1,000 gallons a day,

and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(f) The period of the year during which the water may be used for irrigation purpose is 1st April to 30th September and for domestic purpose is the whole year.

(g) The land upon which the water is to be used and to which this licence is appurtenant is Indian Reserve No. 3 (Siska Flat), Kamloops Division of Yale District, of which 25.55 acres may be irrigated.

(h) The works authorized to be constructed are diversion structures, pump, pipe, ditch, reservoir and sprinkler system,

which shall be located approximately as shown on the attached plan.

(i) The construction of the said works shall be commenced on or before the 30th day of June, 1973, and shall be completed and the water beneficially used on or before the 31st day of December, 1975.

(j) This licence authorizes the use of water for domestic purpose in two dwellings located approximately as shown on the attached plan.

(k) This licence is issued in substitution of Final Water Licence 9019, under Section 15 of the Water Act.

H. D. DeBeck,
Comptroller of Water Rights.

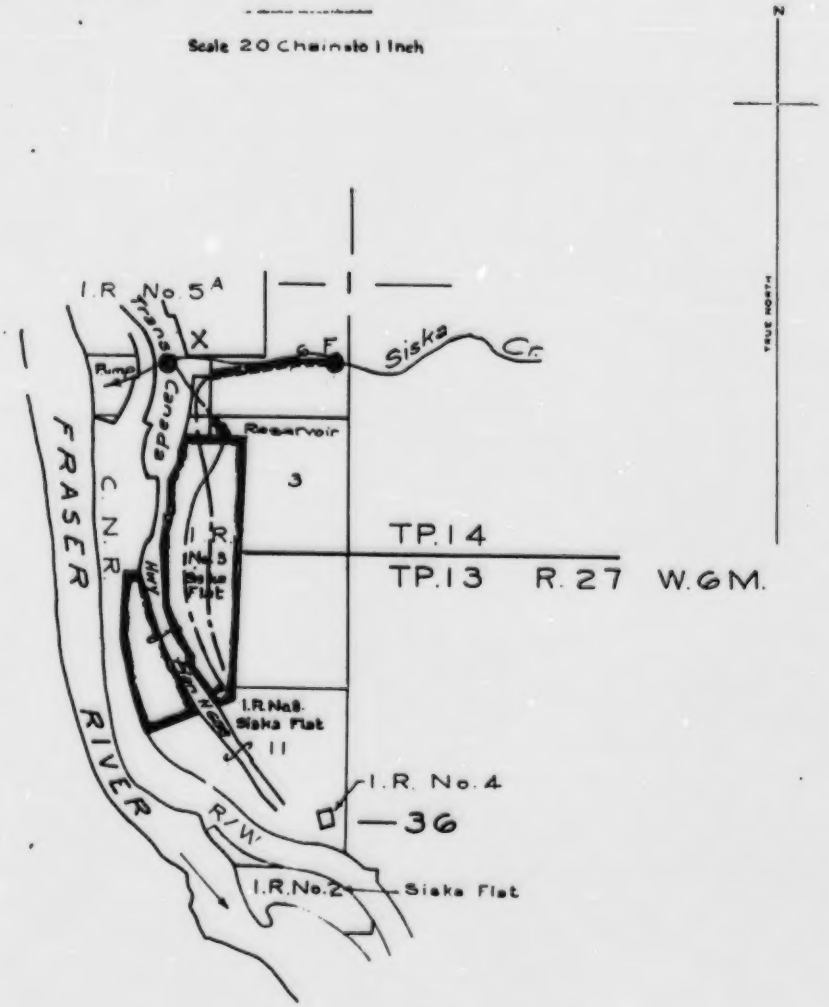
File No. 0241049 Date issued: 15 January 1973 Conditional Licence No. 40273

Microfilmed
Sept. 30 442
WATER

British Columbia

ASHCROFT WATER DISTRICT
KAMLOOPS DIVISION OF YALE DISTRICT

Scale 20 Chains to 1 Inch



LEGEND

Point of Diversion ●
W.R. Map 442
Pipe & Ditch — - —
Right of Way ▬▬▬

The boundaries of the land to which this licence is appurtenant are shown thus: ▬▬▬

Signature [signature]

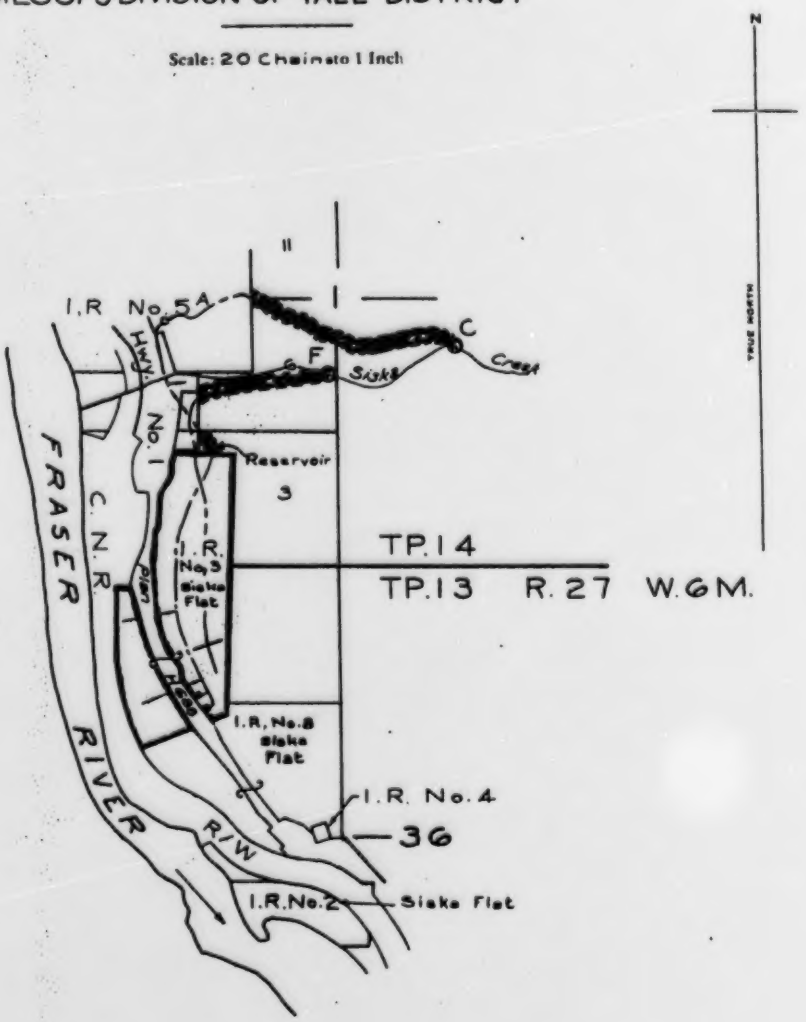
Date 15th Jan, 1973.
C.L.40273 for F.L.9019
File 0241049
R/W Permit N°. 8870

LYTTON PRECINCT

British Columbia

ASHCROFT WATER DISTRICT
KAMLOOPS DIVISION OF YALE DISTRICT

Scale: 20 Chains to 1 Inch



LEGEND

Points of Diversion	⊙
W.R. Map	442
Pipe	— - —
Right of Way	[redacted]

The boundaries of the land to which this licence is appurtenant are shown thus: ———

Signature A K Sutherland

Date 9th June 1975

Amended CL. 40273
File 0241049
R/W Permit No. 9963

LYTTON PRECINCT

ORDER

WATER ACT

Section 15

File No. 0241050

In the matter of Final Water Licence 9018, which authorizes the diversion of water from Kupchynalth Creek for irrigation purpose.

Having determined that the source of the water-supply has been renamed, I hereby amend clause (a) of said licence to read as follows:

(a) The stream on which the rights are granted is Piglog Creek,

and hereby amend the plan attached to the licence to identify the source of water as Piglog Creek.

Dated at Victoria, B.C., this 17th day of January, 1989.

W. E. Farrell,
Deputy Comptroller of Water Rights.

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorised to divert and use water as follows:—

(a.) The source of the water-supply is Kupchynalth creek

a tributary of Fraser river.

(b.) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 26th September, 1888.

(d.) The purpose for which the water is to be used is irrigation.

(e.) The maximum quantity of water which may be diverted from the stream is 15 acre feet per annum.

(f.) The period of the year during which the water may be used is

1st April to 30th September.

(g.) The land upon which the water may be used is 5 acres of Kupchynalth Indian Reserve (Upper), (No.1 Siska Flats)

as shown in the said Exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of ditches.

(i.) This licence is issued in substitution of Conditional Water Licence No. 7127.

Issued this 20th day of November, 1934.

J. Macdonald

Comptroller of Water Rights.

L.S. 442

File No. 23-8-1

Licence No. 9018

W.R.B. 2—1M-434-7094 AMENDED 17-1-89

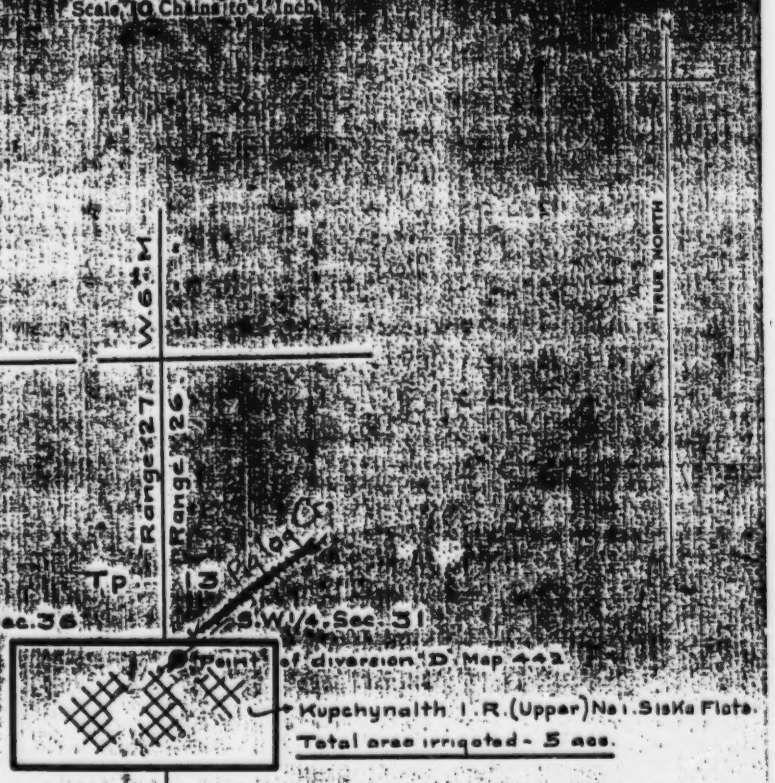
ORIGINAL

British Columbia.

To accompany Licence No. 9018

ASHCROFT WATER DISTRICT

Scale 10 Chains to 1 Inch.



The boundaries of the land to which this licence is appertenant are shown shaded.

Signature [signature]

Date 20 Nov. 1934

F. 9018 for C.L. 7127

File 23-8-1R

EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply is Siska creek,

a tributary of Fraser river.

(b.) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 26th September, 1888.

(d.) The purpose for which the water is to be used is irrigation and domestic.

(e.) The maximum quantity of water which may be diverted from the stream is 78 acre feet per annum, of which quantity 1000 gallons a day may be used for domestic purpose.

(f.) The period of the year during which the water may be used ~~is~~ for irrigation is 1st April to 30th September, and for domestic use throughout the year.

(g.) The land upon which the water may be used is 26 acres of Siska Flats Indian Reserve (No.3 Siska Flats).

as shown in the said Exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of ditches.

(i.) This licence is issued in substitution of Conditional Water Licence No. 7128.

Issued this 20th day of November, 193 4.

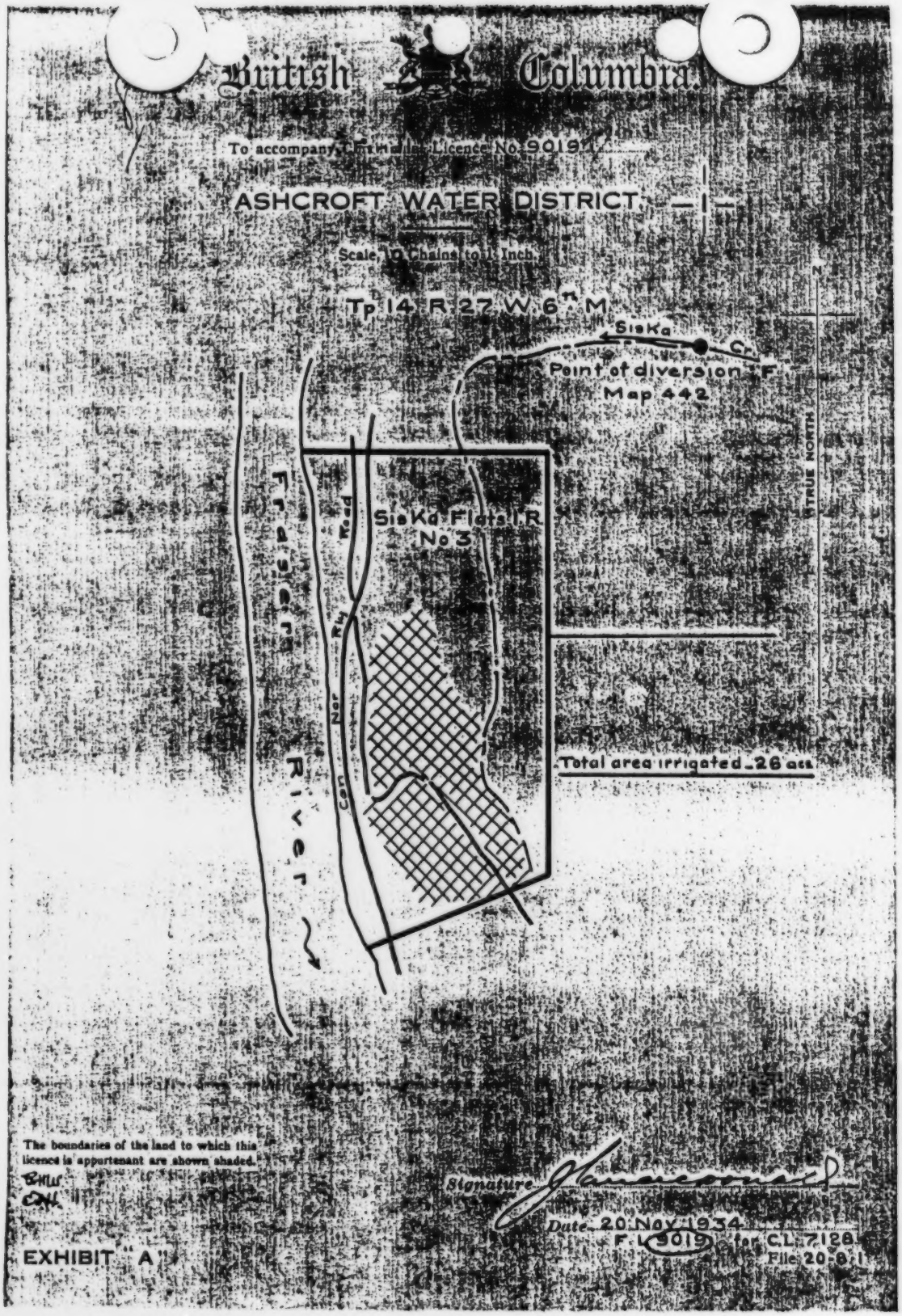
Comptroller of Water Rights.

Superseded by C 40273

File No. 20-8-1

Licence No. 9019

W.R.B. 2—1M-434-1044


British Columbia.
To accompany Final Licence No. 9019
ASHCROFT WATER DISTRICT
Scale 10 Chains to 1 Inch.
Tp 14 R 27 W 6th M
Siska
Cr.
Point of diversion "F"
Map 442
N
TRUE NORTH
Siska Flats I.R. No 3
Fraser River
Can Nor Ry
Road
Total area irrigated 26 acs
The boundaries of the land to which this licence is appurtenant are shown shaded.
Signature
Date 20 Nov 1934
F. 9019 for C.L. 7128
File 20-8-1
EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(*a.*) The source of the water-supply is Siska creek,

a tributary of Fraser river.

(*b.*) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(*c.*) The date from which this licence shall have precedence is 26th September, 1888.

(*d.*) The purpose for which the water is to be used is irrigation and domestic.

(*e.*) The maximum quantity of water which may be diverted from the stream is 110.4 acre feet per annum, of which quantity 1000 gallons a day may be used for domestic purpose.

(*f.*) The period of the year during which the water may be used is for irrigation is 1st April to 30th September, and for domestic use throughout the year.

(*g.*) The land upon which the water may be used is 36.8 acres of Zacht Indian Reserve (No.5, Siska Flat) as shown in the said Exhibit "A."

(*h.*) The works for the diversion and the carriage of the water consist of ditch.

(*i.*) This licence is issued in substitution of Conditional Water Licence No. 7129

Issued this 20th day of November, 193 4.

Comptroller of Water Rights.

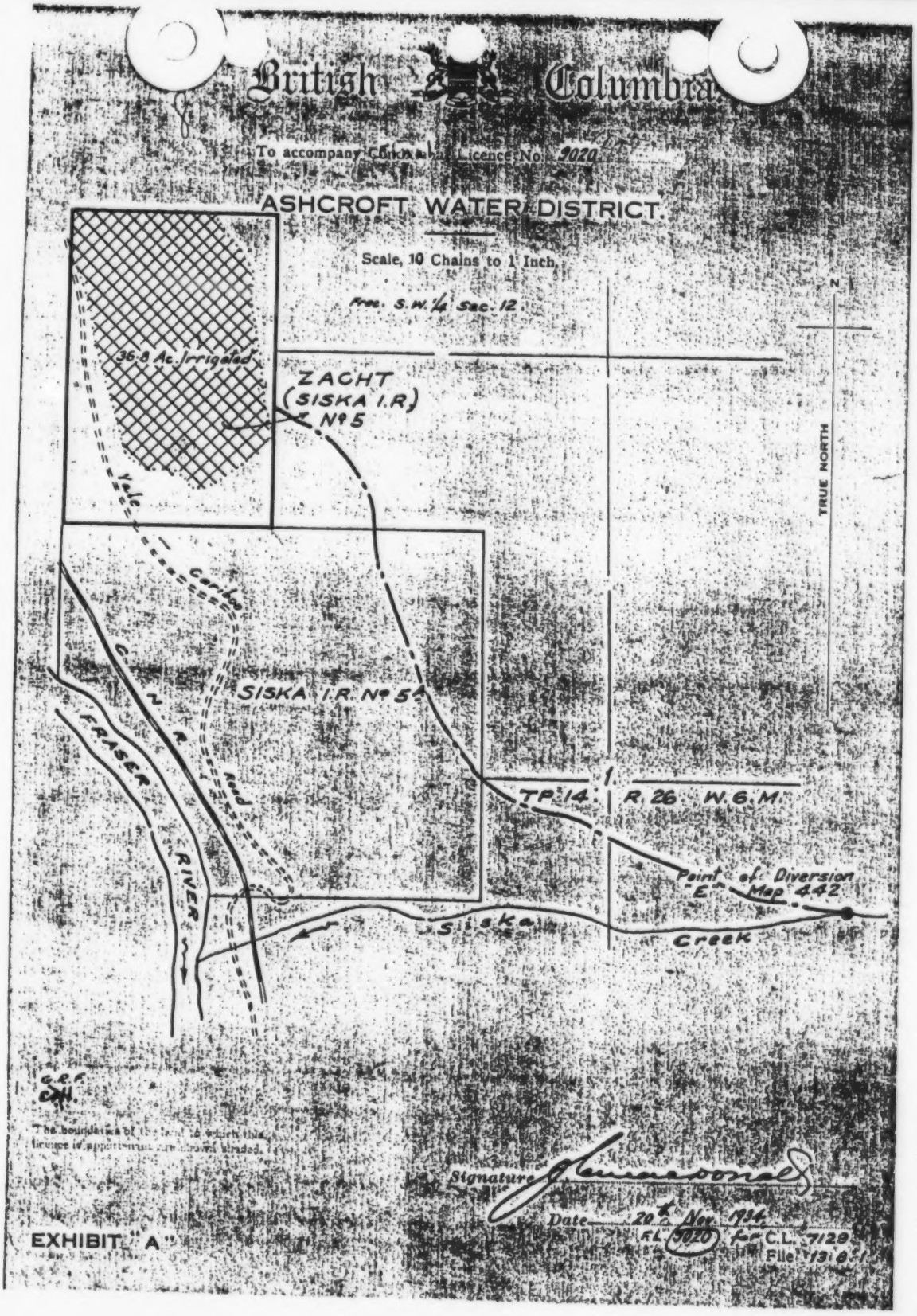
442

File No. 13-8-1.

Licence No. 9020

W.R.B. 2—1M-434-7094

ORIGINA


British Columbia
To accompany Conditional Licence No. 9020
ASHCROFT WATER DISTRICT.
Scale, 10 Chains to 1 Inch.
Plan S.W. ¼ Sec. 12.
N
TRUE NORTH
36·8 Ac. Irrigated
ZACHT (SISKA I.R.) No 5
Yale
Cariboo
C.N.R.
SISKA I.R. No 54
FRASER RIVER
Road
TP 14
R 26 W.6.M.
Point of Diversion
Map 442
Siska Creek
Signature
Date 20th Nov. 1934.
RL 9020 for C.L. 7129
File 1310-1
EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply is Siska creek,

a tributary of Fraser river.

(b.) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 2nd July, 1920.

(d.) The purpose for which the water is to be used is irrigation and domestic.

(e.) The maximum quantity of water which may be diverted from the stream is 33 acre feet per annum, of which quantity 1000 gallons a day may be used for domestic purpose.

(f.) The period of the year during which the water may be used ~~is~~ for irrigation is 1st April to 30th September, and for domestic use throughout the year.

(g.) The land upon which the water may be used is 11 acres of Siska Flat Indian Reserve No. 5-A.

as shown in the said Exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of ditch and flume.

(i.) This licence is issued in substitution of Conditionnl Water Licence No. 5290.

Issued this 20th day of November, 1934.

J. Macdonald

Comptroller of Water Rights.

442

File No. 022900.

Licence No. 9021

W.R.B. 2—1M-434-7094

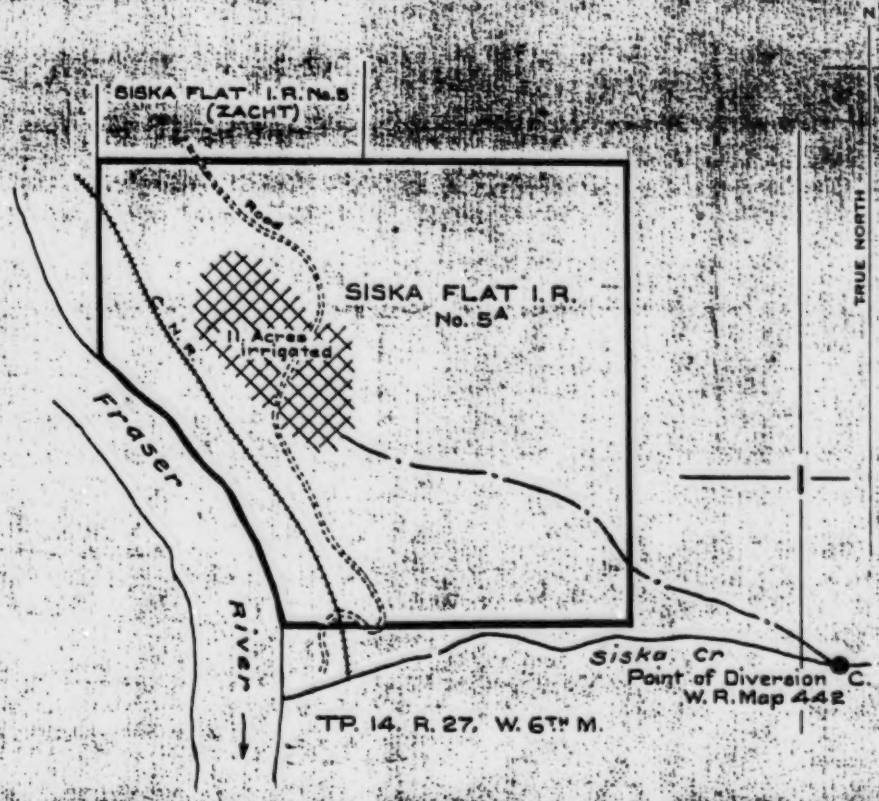
ORIGINAL

British Columbia.

To accompany Final Licence No. 902

ASHCROFT WATER DISTRICT.

Scale, 10 Chains to 1 Inch.



The boundaries of the land to which this licence is appurtenant are shown shaded.

C.W.

Signature J. Hammond

Date 20th Nov. 1934

F.L. (902) for C.L. 5290

File 022900

EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply is Siska creek,

a tributary of Fraser river.

(b.) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 13th March, 1929.

(d.) The purpose for which the water is to be used is irrigation and domestic.

(e.) The maximum quantity of water which may be diverted from the stream is 68 acre-feet per annum of which quantity 1000 gallons a day may be used for domestic purpose.

(f.) The period of the year during which the water may be used is from 1st April to 30th September for irrigation, and for domestic purpose throughout the year.

(g.) The land upon which the water may be used is 22.2 acres, being part of Siska Flat Indian Reserve No. 8 as shown in the said Exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of ditch and flume.

(i.) This licence is issued in substitution of Conditional Water Licence No. 10080.

Issued this 20th day of November, 1934.

Superseded by Licence C 40272

Comptroller of Water Rights.

File No. 085991.

Licence No. 9022

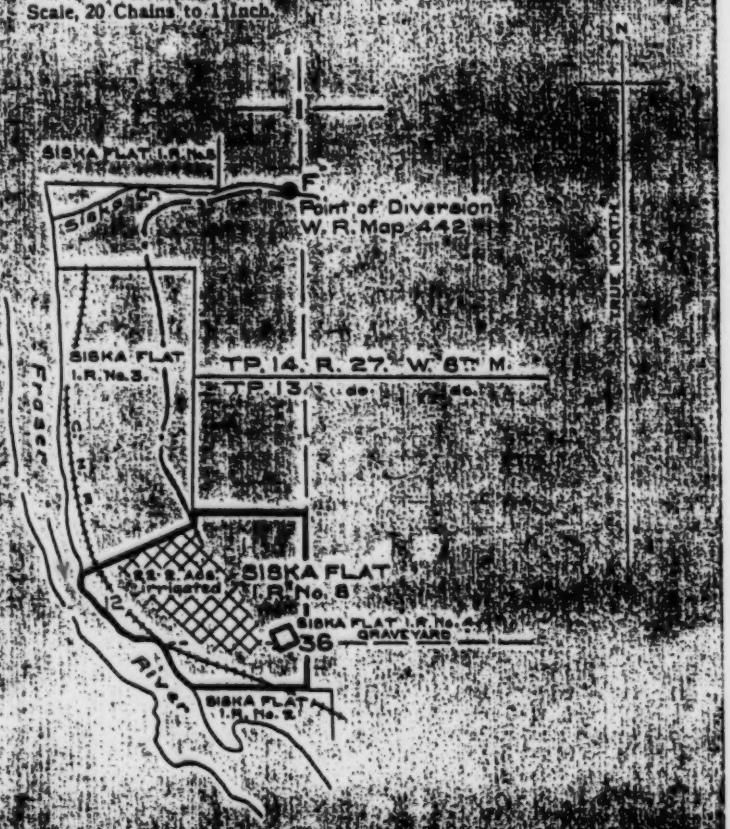
W.R.B. 2—1M-434-7004

British Columbia.

To accompany Final Licence No. 3022

ASHCROFT WATER DISTRICT.

Scale, 20 Chains to 1 Inch.



The boundaries of the land to which this licence is appurtenant are shown shaded.

Signature J. Lancaster Wolf

Date 20th Nov. 1934

F.L. 3022 for C.L. 10080

File 085991

EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply is Pooeyalth creek

a tributary of Fraser river.

(b.) The point of diversion from the stream is located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 26th September, 1888.

(d.) The purpose for which the water is to be used is irrigation and domestic.

(e.) The maximum quantity of water which may be diverted from the stream is 21.6 acre feet per annum, of which quantity 1000 gallons a day may be used for domestic purpose.

(f.) The period of the year during which the water may be used is for irrigation is 1st April to 30th September, and for domestic use throughout the year.

(g.) The land upon which the water may be used is 7.2 acres of Humhampt (Siska Flat) Indian Reserve No. 6, as shown in the said Exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of ditches.

(i.) This licence is issued in substitution of Conditional Water Licence No. 7155.

Issued this 20th day of November, 193 4.

J. Macdonald

Comptroller of Water Rights.

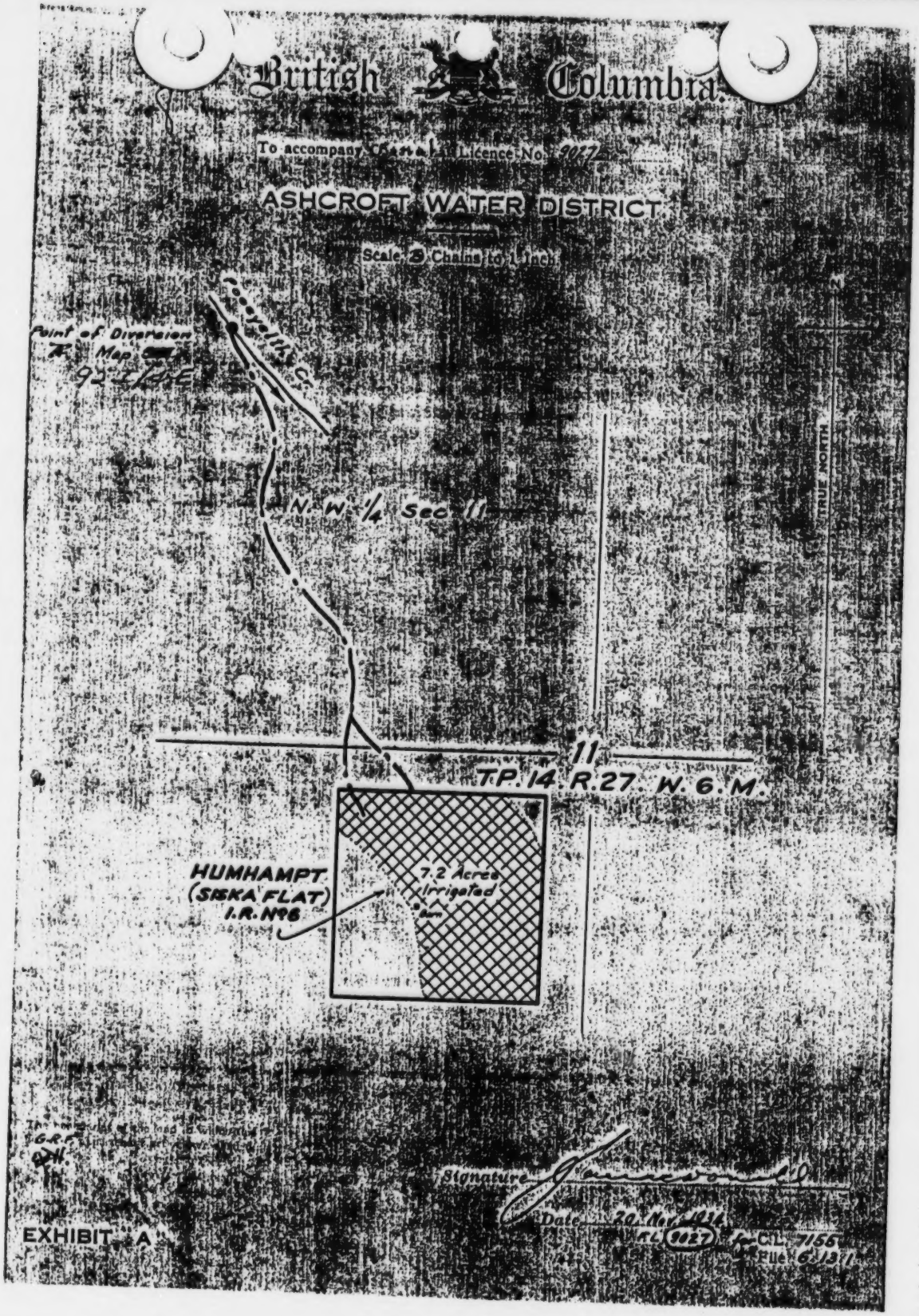
541

File No. 6-13-1.

Licence No. 9027

W.R.B. 2—12M-434-7004

ORIGINAL


British Columbia
To accompany Water Licence No. 9027
ASHCROFT WATER DISTRICT
Scale 5 Chains to 1 Inch
Point of Diversion
Map
92-I-4E
12½ C.
N.W. 1/4 Sec. 11
TRUE NORTH
11
TP. 14. R. 27. W. 6. M.
HUMHAMPT.
(SEKA FLAT)
I.R. No 6
7.2 Acres
Irrigated
Signature
Date 20 May 1931
W.L. 9027
C.L. 7155
File 6/13/1
EXHIBIT "A"

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

The Superintendent-General of Indian Affairs of Ottawa, Canada, is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply ~~is~~ are Hyumatko creek and its tributary Ntlahtlapatko creek, a tributary of Fraser river.

(b.) The point of diversion from the stream ~~is~~ are located as shown in the Exhibit marked "A" hereto attached.

(c.) The date from which this licence shall have precedence is 26th September, 1888.

(d.) The purpose for which the water is to be used is Irrigation and domestic.

(e.) The maximum quantity of water which may be diverted from the stream is 90 acre-feet per annum of which quantity 1,000 gallons a day may be used for domestic purpose.

(f.) The period of the year during which the water may be used ~~is~~ for Irrigation is 1st of April to 30th September and for domestic use throughout the year.

(g.) The land upon which the water may be used is 30 acres of Nahamanak Indian Reserve (No. 7 Siska), as shown in the said Exhibit "A."

(h.) The works for the diversion and the carriage of the water consist of ditches.

(i.) This licence is issued in substitution of Conditional Water Licence No. 7156.

Issued this 15th day of January, 1915.

J. Macdonald

Comptroller of Water Rights.

File No. 10-13-1.

Licence No. 9078

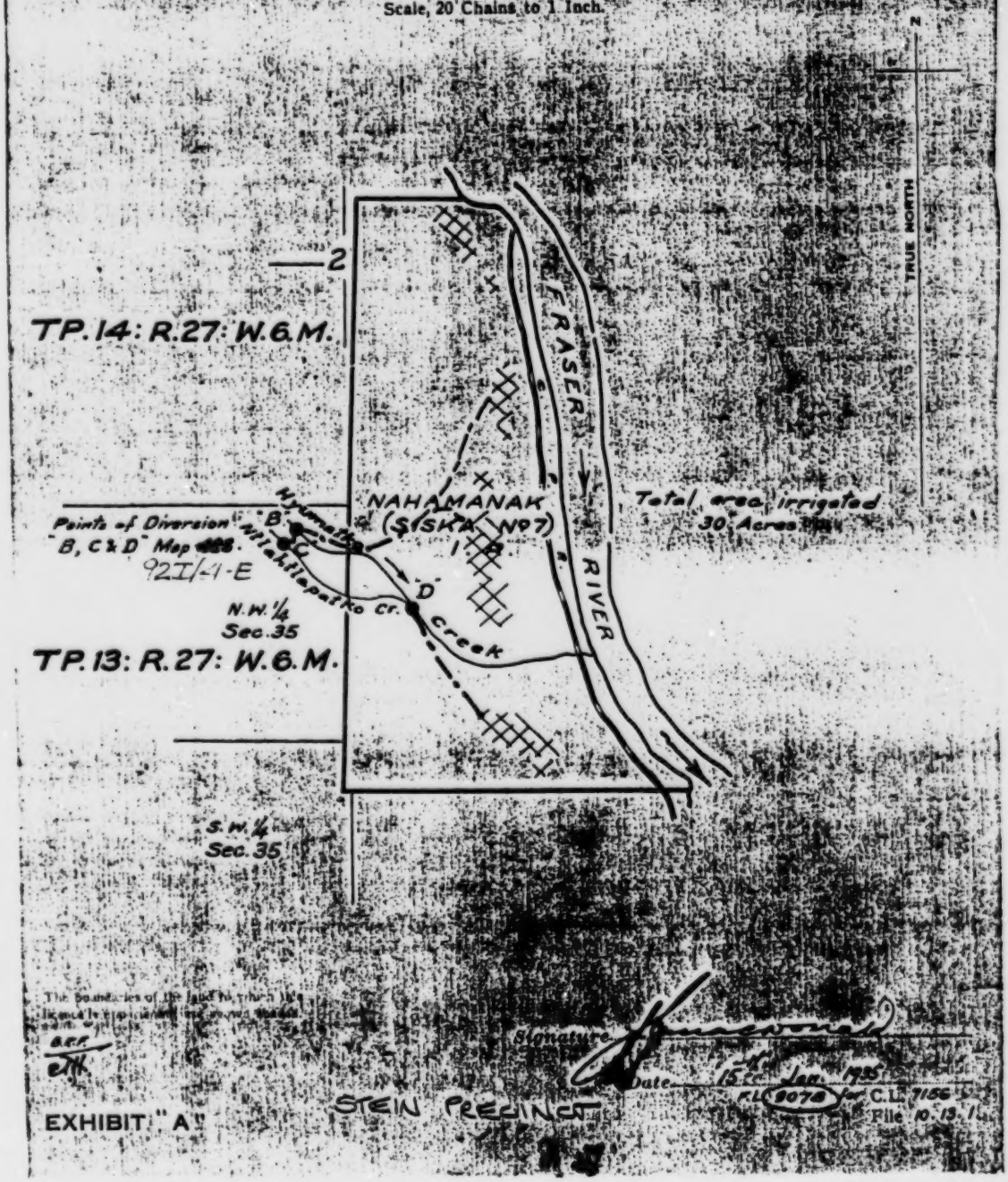
W.R.B. 2—1M-484-7004

British Columbia

To accompany Provisional Licence No. 9076

ASHCROFT WATER DISTRICT.

Scale, 20 Chains to 1 Inch.



The boundaries of the land to which this licence refers are coloured thus

Signature

Date 15th Jan. 1935

EXHIBIT "A"

STEIN PREGINCT

F.L. 9076 for C.L. 7156

File 10-13-1

W.R.B. 1023—5M-634-7840

PROVINCE OF BRITISH COLUMBIA. **WATER RIGHTS BRANCH.** DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

(Mrs.) Helen Louise Gaugh of Cisco, B.C., is hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply is Siska (Cisco) creek, a tributary of Fraser river.

(b.) The point of diversion is located as shown on the attached plan.

(c.) The date from which this licence shall have precedence is 9th August, 1930.

(d.) The purpose for which the water is to be used is power.

(e.) The maximum quantity of water which may be diverted is 0.4 cubic feet a second, and such additional quantity as the District Engineer may from time to time determine should be allowed for losses.

(f.) The period of the year during which the water may be used is throughout the year.

(g.) The land upon which the water is to be used is Siska Indian Reserve No.5A as described on page 1866/7 of the British Columbia Gazette dated 22nd December, 1932,

(h.) The works for the diversion and carriage of the water are ditch, flume and pipe. as shown on the attached plan.

(i.) This licence is issued in substitution of Conditional Water Licence No. 10650.

Cancelled.

See Fl. 11976

442

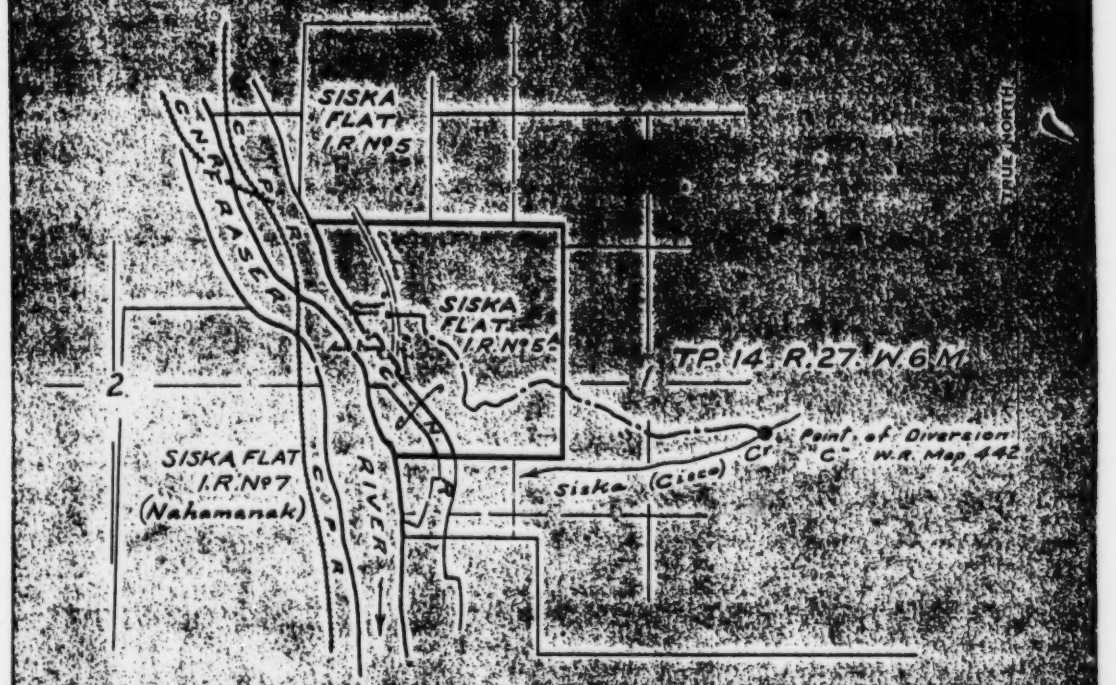
Comptroller of Water Rights.

File No. 092569. Date issued March 9, 1935. Licence No. 9172

British Columbia

ASHCROFT WATER DISTRICT

Scale 20 Chains to 1 Inch



The boundaries of the land to which this licence is appurtenant are shown shaded.

Signature

The Tracing for this Licence has been used for the Final Licence.

Dated 9th May 1935

Ref. 91.7.2. for C.L. 10850 File 092669

EXHIBIT "A"

W.R.B. 17—5M-942-5178

PROVINCE OF BRITISH COLUMBIA.

WATER RIGHTS BRANCH.

DEPARTMENT OF LANDS.

FINAL WATER LICENCE.

E. C. GAUGH and D. A. GAUGH of Cisco, B. C., are hereby authorized to divert and use water as follows:—

(a.) The source of the water-supply is Siska Creek, tributary of Fraser River,

(b.) The point of diversion is located as shown on the attached plan.

(c.) The date from which this licence shall have precedence is 4th September, 1943.

(d.) The purpose for which the water is to be used is Power and domestic.

(e.) The maximum quantity of water which may be diverted is 2 cubic feet per second for Power and 1,000 gallons a day for domestic purpose.

and such additional quantity as the Engineer may from time to time determine should be allowed for losses.

(f.) The period of the year during which the water may be used is the whole year.

(g.) The land upon which the water is to be used and to which this licence is appurtenant is Siska Flat Indian Reserve No. 5A, as described on pages 1866 and 1867 of the B. C. Gazette, dated 22nd December, 1932,

(h.) The works for the diversion and carriage of the water are ditch, flume and pipe. as shown on the attached plan.

(i.) ~~This licence is issued in substitution of Conditional Water Licence No.~~

E. Davis

Comptroller of Water Rights.

ENTERED ON
Map No. 92
By

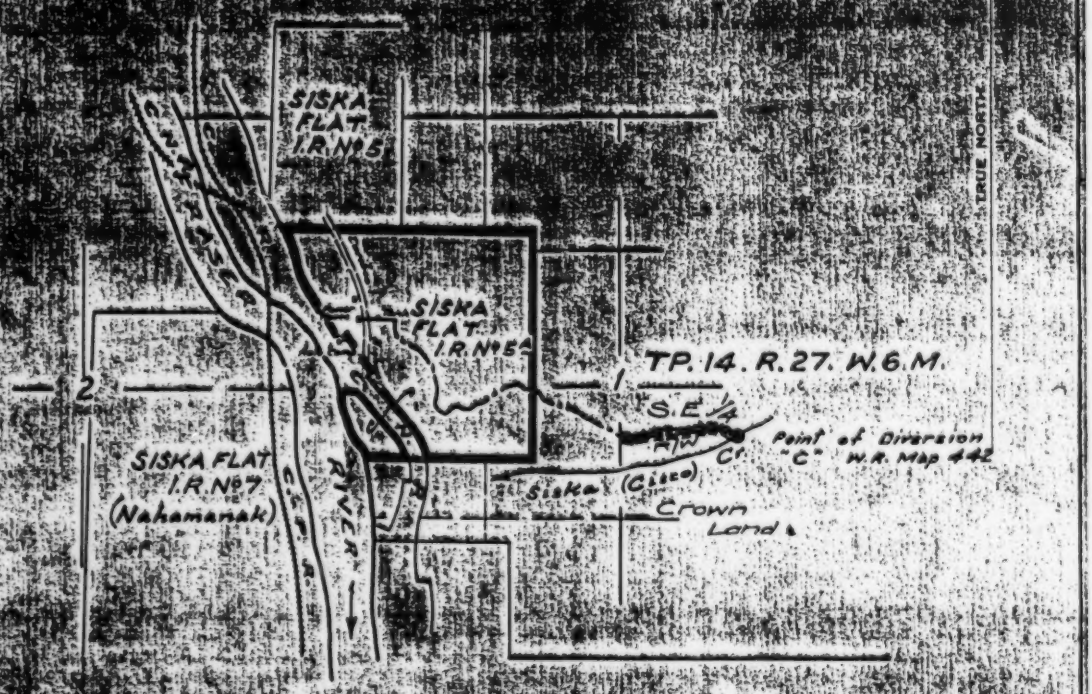
File No. 092569 Date issued October 20, 1943. Licence No. 11976

Provincial Government

To accompany Filing [illegible] dated the [illegible] 1946 [illegible]
and Application for Right of Way over Crown Land

ASHCROFT WATER DISTRICT

SCALE 20 Chains to 1 inch



LEGEND

The boundaries of the land to which this licence is appurtenant are shown thus: [illegible]

Signature E. Davis

Date 20th October 1948

EXHIBIT "A"

For P/W Sec. Plat Map 88/B-4)

F.L. (11976)
File 092569

DEPARTMENT OF LANDS.

Permit under the "Water Act, 1939," authorizing the Occupation of Crown Land.

E. C. COUGH and D. A. COUGH, of Cisco, B. C.,

the holder of a water licence authorizing the diversion of water from Siska Creek,

is hereby authorized to occupy by maintaining and operating thereon the works

authorized under Final Water Licence No. 11976

the following Crown land, namely:—

a portion of the S.E.¼ Section 1, Township 14, Range 27, West 6th Meridian being 1150 feet in length and 15 feet in width, the location of which is shown approximately on the plan attached to the said water licence and marked "R/W."

having an area of 0.40 acres.

~~And, subject to the payment of royalty and stumpage under the "Forest Act," is authorized to~~

There is payable in respect of this permit an annual rental of $1.00, which is subject to alteration at any time. Failure to pay the annual rental will render this permit subject to cancellation.

This permit is appurtenant to the land to which the aforesaid water licence is appurtenant.

The conditions relative to the rights granted under this permit are printed on the back of this form.

Issued the 20th day of October, 19 43.

H. Cathcart

Deputy *Minister of Lands.*

File 092569

W.R. Map Ref. Map 88 (B-4)

W.R.B. 12—1M-142-4918

2375

CONDITIONS RELATIVE TO THE RIGHTS GRANTED UNDER THIS PERMIT.

1. This permit is issued under section 20 of the " Water Act, 1939," and the rights hereby granted are subject at all times to the provisions of that Act and all Acts passed in amendment or substitution thereof and to all regulations from time to time made under any such Act.

2. There is reserved to the Crown the right to grant to other persons permits to occupy the land affected by this permit without compensation to the permittee or his successors in title.

3. In the event of any dispute arising at any time between the permittee and any owner of land adjacent to the land affected by this permit with respect to the area or boundaries of the land so affected, the licensee shall at his own expense, when so directed by the Deputy Minister of Lands, have the said land surveyed by a duly qualified surveyor, and shall likewise file with the Department of Lands at Victoria, B.C., a plan showing the result of the survey.

4. This permit and the rights granted hereunder are subject always to compliance by the permittee with the terms of his water licence, and if the rights granted under the said licence should at any time be suspended or terminated the rights granted under this permit are thereupon likewise suspended or terminated.

5. The amount of royalty and stumpage payable by the permittee in respect of the timber cut or destroyed by him shall be the sum or sums fixed by the Forest Branch of the Government of British Columbia.

DEPARTMENT OF LANDS AND FORESTS

Permit under the "Water Act," authorizing the Occupation of Crown Land

KERAY LEACHTY, of Siska Lodge, Lytton, B.C.

the holder of a water licence authorizing the diversion of water from Keray Spring

is hereby authorized to occupy by constructing, maintaining and operating thereon the works authorized under the said water licence, and any licence which may be issued in substitution thereof,

the following Crown land, namely:—

a portion of the North East ¼ of Section 1, Township 14, Range 27, Legal Subdivision 11 of Section 1, Township 14, Range 27, West 6th Meridian being 1800 feet in length and 15 feet in width, the location of which is shown approximately on the plan attached to the said water licence and marked "R/W"

having an area of 0.62 acres.

And, subject to the payment of royalty, ~~and to any stumpage under the Forest Act~~ stumpage and other compensation as provided under Condition 5 is authorized to cut and remove from the said land any timber the removal of which is necessary to permit the construction of the said works.

A

There is payable in respect of this permit an annual rental of $1.00, which is subject to alteration at any time. Failure to pay the annual rental will render this permit subject to cancellation.

This permit is appurtenant to the land to which the aforesaid water licence is appurtenant.

The conditions relative to the rights granted under this permit are printed on the back of this form.

Issued the 1st day of February, 19 52.

Deputy Minister of Lands.

File 0189524

W.R. Map 442

Ref. Map 88(B-4)

W.R.D. 12—1M-1049-4197

Conditional ~~Final~~ Licence No. 20503

PERMIT OVER CROWN LAND No. 3590

CONDITIONS RELATIVE TO THE RIGHTS GRANTED UNDER THIS PERMIT

1. This permit is issued under section 20 of the "Water Act," and the rights hereby granted are subject at all times to the provisions of that Act and all Acts passed in amendment or substitution thereof and to all regulations from time to time made under any such Act.

2. There is reserved to the Crown the right to grant to other persons permits to occupy the land affected by this permit without compensation to the permittee or his successors in title.

3. In the event of any dispute arising at any time between the permittee and any owner of land adjacent to the land affected by this permit with respect to the area or boundaries of the land so affected, the licensee shall at his own expense, when so directed by the Deputy Minister of Lands, have the said land surveyed by a duly qualified surveyor, and shall likewise file with the Department of Lands and Forests at Victoria, B.C., a plan showing the result of the survey.

4. This permit and the rights granted hereunder are subjects always to compliance by the permittee with the terms of his water licence, and if the rights granted under the said licence should at any time be suspended or terminated the rights granted under this permit are thereupon likewise suspended or terminated.

~~5. The amount of stumpage, royalty and/or compensation payable to the Crown by the permittee in respect of trees, including merchantable or young growth, cut, removed, damaged or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia.~~

PROVINCE OF
BRITISH COLUMBIA

DEPARTMENT OF LANDS, FORESTS,
AND WATER RESOURCES

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The Superintendent-General of
Indian Affairs (Lytton Agency) of Ottawa, Ontario.

the holder(s) of Conditional/Final Water Licence(s) 40273 authorizing
the diversion of water from Siska Creek,

is/are hereby

authorized to occupy Crown land by constructing, maintaining, and operating thereon the works authorized under the said water licence and any licences which may be issued in substitution thereof.

(*a*) The Crown land which is authorized to be occupied under this permit is a portion of
Fractional Legal Subdivisions 3 and 6 of Section 1, Township 14, Range 27, West 6th Meridian.

the location of which is shown approximately on the plan attached to the said water licence.

(*b*) The approximate dimensions of the Crown land authorized to be occupied under this permit are
1500 feet in length and 15 feet in width, having an area of 0.52 acre.

(*c*) Subject to the payment of royalty, stumpage, and other compensation, and the obtaining of a licence to cut timber as provided under Condition 5, the permittee may cut and remove from the said land any timber, the removal of which is necessary to permit construction and maintenance of the said works.

(*d*) The annual rental for this permit is $ 2.00 , which is subject to review and revision at any time at the discretion of the Crown.

(*e*) This permit is appurtenant to the land, mine, or undertaking to which the aforesaid water licence is appurtenant.

(*f*) The conditions relative to the rights granted under this permit are printed on the back of this form.

Deputy Minister of Lands

File No. 0241049

Ref. Map 92I/SW

W.R. Map 442 Date issued: 15th January 1973 Permit No. 8870

W.R.B. 12a— 6

Approved by
P.C. 9963

PROVINCE OF
BRITISH COLUMBIA

DEPARTMENT OF LANDS, FORESTS,
AND WATER RESOURCES

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

The Superintendent General of Indian Affairs (Lytton Agency)
Ottawa, Ontario.

the holder(s) of Conditional/~~Final~~ ✓ Water Licence(s) 40272 authorizing U.R.R.
the diversion of water from Siska Creek,
is/are hereby

authorized to occupy Crown land by constructing, maintaining, and operating thereon the works authorized under the said water licence and any licences which may be issued in substitution thereof.

(*a*) The Crown land which is authorized to be occupied under this permit is a portion of South ½ and Northwest ¼ of Section 1, Township 14, Range 27, West 6th Meridian,

amended
the location of which is shown approximately on the plan attached to the said water licence.

(*b*) The approximate dimensions of the Crown land authorized to be occupied under this permit are 2200 feet in length and 15 feet in width, having an area of 0.76 acre.

(*c*) Subject to the payment of royalty, stumpage, and other compensation, and the obtaining of a licence to cut timber as provided under Condition 5, the permittee may cut and remove from the said land any timber, the removal of which is necessary to permit construction and maintenance of the said works.

(*d*) The annual rental for this permit is $ 2.00 , which is subject to review and revision at any time at the discretion of the Crown.

(*e*) This permit is appurtenant to the land, mine, or undertaking to which the aforesaid water licence is appurtenant.

(*f*) The conditions relative to the rights granted under this permit are printed on the back of this form.

U. R. Redel
FOR *Deputy Minister of Lands*

File No. 085991

Ref. Map 92I/SW

W.R. Map 442

Date issued: 27 May, 1975 Permit No. 9949

W.R.B. 12A— 0

CONDITIONS RELATIVE TO THE RIGHTS GRANTED UNDER THIS PERMIT

1. This permit is issued under the *Water Act*, and the rights hereby granted are subject at all times to the provisions of that Act and all Acts passed in amendment or substitution thereof and to all regulations from time to time made under any such Act.

2. There is reserved to the Crown the right to grant to other persons permits to occupy the land affected by this permit without compensation to the permittee or his successors in title.

3. In the event of any dispute arising at any time between the permittee and any owner of land adjacent to the land affected by this permit with respect to the area or boundaries of the land so affected, the licensee shall at his own expense, when so directed by the Deputy Minister of Lands, have the said land surveyed by a duly qualified surveyor, and shall likewise file with the Department of Lands, Forests, and Water Resources at Victoria, British Columbia, a plan showing the result of the survey.

4. This permit and the rights granted hereunder are subject always to compliance by the permittee with the terms of his water licence, and if the rights granted under the said licence should at any time be suspended or terminated, the rights granted under this permit are thereupon likewise suspended or terminated.

5. The amount of stumpage, royalty, and (or) compensation payable to the Crown by the permittee in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia. Prior to the cutting, destruction, or flooding of any timber, the permittee must apply for and obtain a licence to cut timber from the District Forester under the provisions of section 24 of the *Forest Act*.

PROVINCE OF
BRITISH COLUMBIA

DEPARTMENT OF LANDS, FORESTS,
AND WATER RESOURCES

PERMIT UNDER THE WATER ACT AUTHORIZING THE OCCUPATION OF CROWN LAND

Superintendent General of Indian Affairs (Lytton Agency) of Ottawa, Ontario.

the holder(s) of Conditional/~~Final~~ Water Licence(s) 40273 authorizing WRR
the diversion of water from Siska Creek,

is/are hereby

authorized to occupy Crown land by constructing, maintaining, and operating thereon the works authorized under the said water licence and any licences which may be issued in substitution thereof.

(*a*) The Crown land which is authorized to be occupied under this permit is a portion of South ½ and Northwest ¼ of Section 1, Township 14, Range 27, West 6th Meridian,

amended
the location of which is shown approximately on the plan attached to the said water licence.

(*b*) The approximate dimensions of the Crown land authorized to be occupied under this permit are 3500 feet in length and 15 feet in width, having an area of 1.2 acres.

(*c*) Subject to the payment of royalty, stumpage, and other compensation, and the obtaining of a licence to cut timber as provided under Condition 5, the permittee may cut and remove from the said land any timber, the removal of which is necessary to permit construction and maintenance of the said works.

(*d*) The annual rental for this permit is $ 2.00 , which is subject to review and revision at any time at the discretion of the Crown.

(*e*) This permit is appurtenant to the land, mine, or undertaking to which the aforesaid water licence is appurtenant.

(*f*) The conditions relative to the rights granted under this permit are printed on the back of this form.

THIS PERMIT REPLACES PERMIT # 8870 -

W. R. Redel
FOR *Deputy Minister of Lands*

File No. 0241049

Ref. Map 92I/SW

W.R. Map 442 Date issued: 9th June, 1975 Permit No. 9963

W.R.B. 12A— 0

CONDITIONS RELATIVE TO THE RIGHTS GRANTED UNDER THIS PERMIT

1. This permit is issued under the *Water Act*, and the rights hereby granted are subject at all times to the provisions of that Act and all Acts passed in amendment or substitution thereof and to all regulations from time to time made under any such Act.

2. There is reserved to the Crown the right to grant to other persons permits to occupy the land affected by this permit without compensation to the permittee or his successors in title.

3. In the event of any dispute arising at any time between the permittee and any owner of land adjacent to the land affected by this permit with respect to the area or boundaries of the land so affected, the licensee shall at his own expense, when so directed by the Deputy Minister of Lands, have the said land surveyed by a duly qualified surveyor, and shall likewise file with the Department of Lands, Forests, and Water Resources at Victoria, British Columbia, a plan showing the result of the survey.

4. This permit and the rights granted hereunder are subject always to compliance by the permittee with the terms of his water licence, and if the rights granted under the said licence should at any time be suspended or terminated, the rights granted under this permit are thereupon likewise suspended or terminated.

5. The amount of stumpage, royalty, and (or) compensation payable to the Crown by the permittee in respect of trees, including merchantable or young growth, cut, removed, damaged, or destroyed by the permittee, shall be the sum or sums fixed by the Forest Service of the Province of British Columbia. Prior to the cutting, destruction, or flooding of any timber, the permittee must apply for and obtain a licence to cut timber from the District Forester under the provisions of section 24 of the *Forest Act*.

Stream Register Report Water Licence Information System

Report Requested By : RABRAHS
Date Report Requested : 1996/06/18 14:35
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : FD44341 - 93I/4E(h) D
END POINT : SO6245 - Hymatho Creek right of Fraser River

Priority YYYY/MM/DD	Licence File Number	Appurtenancy Number	Licensee	POD	RED	POD Comments	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
1898/09/26	F009078	0241085	30 AC OF IR #7 SISKA NAMAMANAK YDYD									
			SISKA INDIAN BAND				DOM	1,000.00 GD	Jan 01	Dec 31		
			981-706-7364				IRR	90.00 AF	Apr 01	Sep 30		
			BOX 350									
			LYTTON BC									
			V0K1Z0									
	Source		WR Map								Prec	
	Nyumatko Creek		MR92I/4E(h)	E	N						02L ASH - STEIN	
	Nyumatko Creek		MR92I/4E(h)	D	N							
	Ntlahtlapatko Creek		MR92I/4E(h)	C	N							

---------- Total of 1 Licence Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : RABRAMS
Date Report Requested : 1996/06/10 14:38
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : FD47860 - 442 V
END POINT : SO6252 - Keray Spring

Stream Register Report | Water Licence Information System | DATE: 1996/06/18 TIME: 14:38 PAGE: 001

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	FUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
	Source		WR Map	POD RED POD Comments					Prec	
1951/06/25	C020503	0189524	2 AC OF I R #5A SISKA FLAT YDYD	WILSON ELDA B 3635 W 10TH AVE VANCOUVER BC V6S1B3	SMTPR IRR	10,000.00 GD 6.00 AF	Jan 01 Apr 01	Dec 31 Sep 30		AMD UNDER AMENDMENT
	Xaxy Spring		WR442	V N					021 ASH - LYTTON	

---------- Total of 1 Licence Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : RABRAMS
Date Report Requested : 1996/06/18 14:39
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : PD47856 - 442 D
END POINT : SO6246 - Piglog Creek left of Fraser River

Stream Register Report

Water Licence Information System

DATE: 1996/06/18
TIME: 14:39
PAGE: 001

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
Source		WR Map	POD	RED POD Comments					Prec	
1988/09/26	F009018	0241050	S AC OF KUPCHYNALTN IR #1	SISKA INDIAN BAND 981-706-7355 BOX 358 LYTTON BC V0K1Z0	IRR	15.00 AF	Apr 01	Sep 30		
Piglog Creek		WR442	D N						02I AEH - LYTTON	

---------- Total of 1 Licence Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : DJOLLY
Date Report Requested : 1996/10/29 08:46
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : PD44348 - 92I/4E(h) A
END POINT : S06248 - Pooeyelth Creek right of Fraser River

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
	Source		WR Map	POD RED POD Comments					Prec	
1888/09/26	F009027	0241084	7.2 AC OF HUNHAMPT SISKA FLAT IR #6 M&N	SISKA INDIAN BAND 981-706-7362 BOX 358 LYTTON BC V0K1Z0	DOMIN IRR	1,000.00 GD 21.60 AF	Jan 01 Apr 01	Dec 31 Sep 30		
	Pooeyelth Creek		WR92I/4E(h)	B N					02L ASH - STEIN	
1888/09/26	F009028	0241083	10.3 AC OF POOEYELTH IR #3 SKUPPAH M&N	SKUPPAH INDIAN BAND 981-707-7370 BOX 490 LYTTON BC V0K1Z0	DOMIN IRR	1,000.00 GD 30.00 AF	Jan 01 Apr 01	Dec 31 Sep 30		
	Pooeyelth Creek		WR92I/4E(h)	A N					02L ASH - STEIN	

---------- Total of 2 Licences Reported ----------

Stream Register Report Water Licence Information System

Report Requested By : RABRAMS
Date Report Requested : 1996/06/18 14:41
Report Sorted By : Source Gazetted - Priority Date - Licence Number
Selection Criteria
START POINT : FD47857 - 442 E
END POINT : SO6247 - Siska Creek left of Fraser River

Priority YYYY/MM/DD	Licence Number	File Number	Appurtenancy	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
	Source		MR Map	POD	RED	POD Comments			Proc	
1888/09/26	C040273	0241049	25.55 AC OF SISKA FLAT IR # 3 KDYD	SISKA INDIAN BAND 981-706-7357 BOX 358 LYTTON BC V0K1Z0	DOM IRR	1,000.00 GD 76.60 AF	Jan 01 Apr 01	Dec 31 Sep 30		
	Siska Creek		MR442	C	N				02I ASH - LYTTON	
	Siska Creek		MR442	F	N					
1888/09/26	F009020	0241048	36.8 AC OF I R #5 ZACHT YDYD	SISKA INDIAN BAND 981-706-7359 BOX 358 LYTTON BC V0K1Z0	DOM IRR	1,000.00 GD 110.40 AF	Jan 01 Apr 01	Dec 31 Sep 30		
	Siska Creek		MR442	E	N				02I ASH - LYTTON	
1920/07/02	F009021	0022900	11 AC OF I R #5A SISKA FLAT YDYD	SISKA INDIAN BAND 981-706-7360 BOX 358 LYTTON BC V0K1Z0	DOM IRR	1,000.00 GD 33.00 AF	Jan 01 Apr 01	Dec 31 Sep 30		
	Siska Creek		MR442	C	N				02I ASH - LYTTON	
1929/03/13	C040272	0085991	22.2 AC OF I R #8 SISKA FLAT YDYD	SISKA INDIAN BAND 981-706-7365 BOX 358 LYTTON BC V0K1Z0	DOM IRR	1,000.00 GD 66.60 AF	Jan 01 Apr 01	Dec 31 Sep 30		
	Siska Creek		MR442	C	N				02I ASH - LYTTON	

Priority YYYY/MM/DD	Licence File Number	Appurtenancy Number	Licensee	PUC	Quantity/Units	Term Start	Term End	Licence Comments	Process Status
Source		WR Map	POD RED POD Comments					Prec	
1943/09/04	F011976	0092569 I R #5A SISKA FLAT YDYD	WILSON ELDA B 3635 W 18TH AVE VANCOUVER BC V6S1B3	DOM PRRES	1,000.00 GD 2.00 CS	Jan 01 Jan 01	Dec 31 Dec 31		AND UNDER AMENDMENT
Siska Creek		WR442	C N					02I ASH - LYTTON	

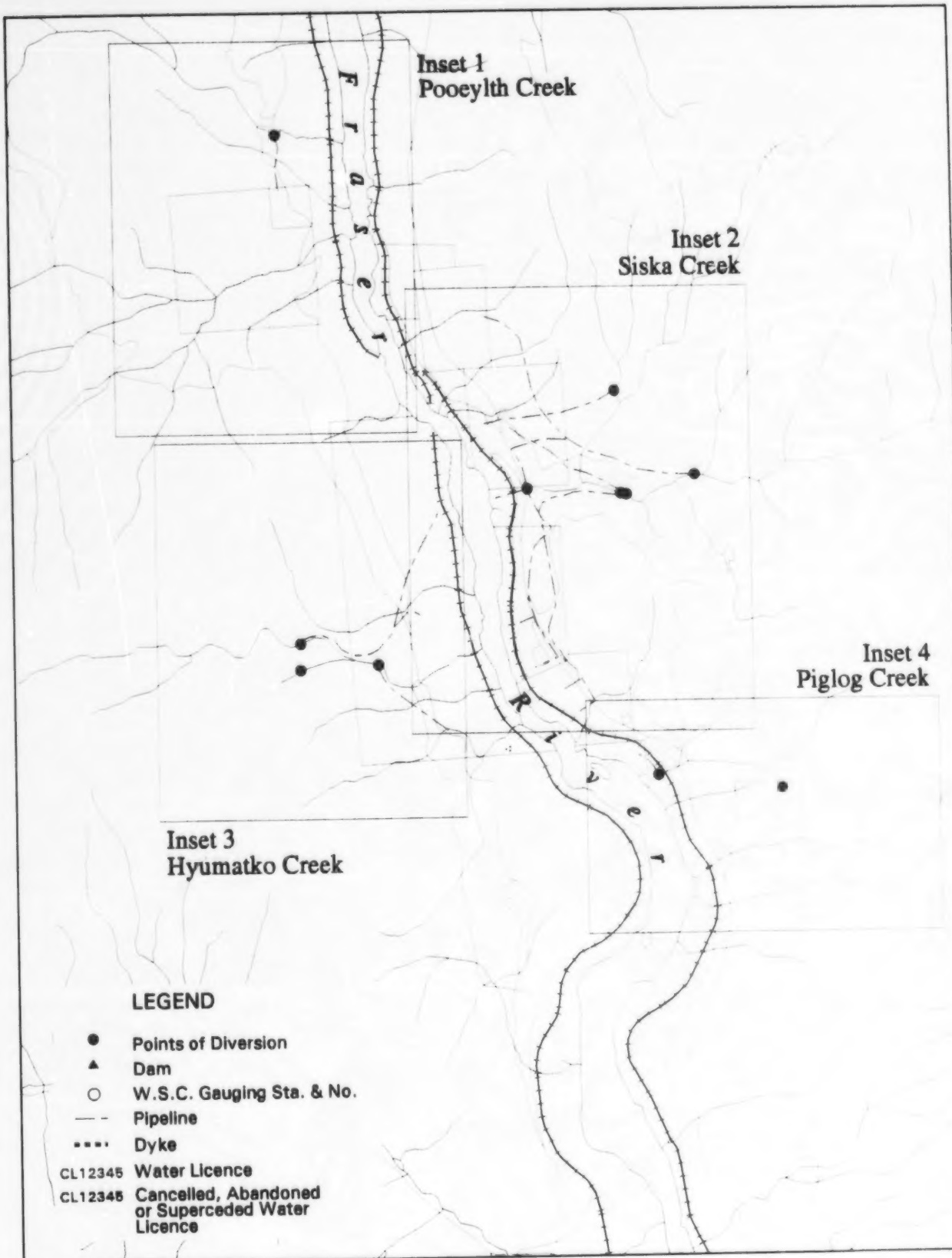
---------- Total of 5 Licences Reported ----------

SCHEDULE of Indian Reserves in the Dominion—*Continued.*

BRITISH COLUMBIA, LYTTON AGENCY—*Continued.*

No.	Name.	Where Situated.	Tribe or band.	Area, Acres.	Remarks.
1	Nicola Lake.....	Kamloops district, on the eastern shore of Nicola lake, at its head, in townships 90 and 97.	Nicola (Upper); [illegible]	2,692·00	200 inches of water recorded from Nicola river.
2	Hamilton Creek Fishery or Quilchena.	Kamloops district, on the southern shore of Nicola lake at the mouth of Hamilton or Quilchena creek, in township 97.	"	60·00	50 inches of water recorded from Quilchena creek.
3	Douglas Lake.....	Kamloops district, at the lower end of Douglas lake, partly in township 90.	"	23,047·00	300 inches of water recorded from Spahomin creek; 100 inches from lake at head of Lauder creek; 50 inches from a spring on southwest side of reserve.
4	Spahomin Creek.....	Kamloops district, on Spahomin creek, about seven miles from its mouth.	"	320·00	50 inches of water recorded from Spahomin creek.
5	Chapperon Lake.....	Kamloops district, on the western shore of of Chapperon lake.	"	726·00	50 inches of water recorded from Murray creek.
6	Chapperon Creek Fishery	Kamloops district, on Upper Chapperon creek, about three quarters of a mile from its mouth.	"	15·00	25 inches of water recorded from Upper Chapperon creek.
7	Salmon Lake.....	Kamloops district, on the trail from Nicola to Grand Prairie. N. of Chapperon lake.	"	172·00	Reserves Nos. 1 to 7 were allotted by Commissioner Sproat, Sept. 28, 1878, they were surveyed in 1879.
8	Spahomin Creek.....	Kamloops district, between reserves Nos. 3 and 4.	"	3,357·00	Allotted by Commissioner O'Reilly, Oct. 10, 1889. Surveyed 1894. Approved, May 7th, 1895.
1	Kupchynaith (Upper).....	Yale district, about 8 miles south of Lytton in section 30, township 13, range 26, west of 6th meridian.	[illegible]	20·00	50 inches of water recorded from Kupchynaith creek, and all the water from all other sources of water-supply which may be found on the two Kupchynaith reserves.
2	" (Lower)....	Yale district, on the left bank of the Fraser river, about 8 miles below Lytton, in section 28, township 13, range 27, west of 6th meridian.	"	15·50	
3	Siska Flats.....	Yale district, on the left bank of the Fraser about 7 miles below Lytton, in section 36, township 13, range 27, west of 6th meridian..	"	91·50	50 inches of water recorded from Siska creek, and from any other sources that may be found available, including a spring on the hillside.
4	Grave-yard.....	Yale district, on the Cariboo wagon road, 7½ miles south of Lytton, in section 30, township 13, range 26, west of 6th meridian.	"	0·62	

5	Zacht	Yale district, on the Cariboo waggon road, 6½ miles south of Lytton, in section 1, township 14, range 26, west of 6th meridian.	"	60·00	75 inches of water recorded from Siska creek and all the water from all sources of water-supply on the reserve.
5A	Siska Flats	Yale district, Secs. 1 and 2, Tp. 14, R. 27 W. 6th M.	"	118·18	Surveyed 1911.
6	Humhumpt	Yale district, about 8½ miles below Lytton, near the right bank of the Fraser.	"	10·00	20 inches of water recorded from Humhumpt creek, and all the water from all other sources of water-supply on the reserve.
7	Nahamanak	Yale district, at the Canadian Pacific railway bridge across the Thompson, about 7 miles below Lytton, in section 36, township 13, range 27, west of 6th meridian.	"	302·00	80 inches of water recorded from Hyamatko creek, 50 inches of water recorded from N-tlah-tla-pat-ko creek and all the water from all other sources of water-supply on the reserve.
					The Siska Flat reserves were allotted by Commissioner Sproat, June 18, 1878. Surveyed, 1885. Approved, June 24, 1887. All these reserves are within the railway belt.
1		Yale district, ½ mile east of Fraser river and 4½ miles south of Lytton, in section 13, township 14, range 27, west of 6th merid.	Skuppah	20·00	15 inches of water recorded from Skuppah creek, and all the water from all other sources of water-supply on the reserve.
2	Inklyuhkinatko	Yale district, on the left bank of the Fraser 3 miles below Lytton, in section 24, township 14, range 27, west of 6th meridian.	"	100·00	20 inches of water recorded from Inklyuhkinatko creek, and all the water from all other sources of water-supply on the reserve.
2A	Skuppah	Yale district, Sec. 23, Tp. 14, R. 27 W. 6th M.	"	43·67	urveyed 1911.
3	Poocyelth	Yale district, near the right bank of the Fraser, 5 miles below Lytton, in section 11, township 14, range 27, west of 6th meridian.	"	20·00	40 inches of water recorded from Poocyelth creek, and all the water from all other sources of water-supply on the reserve.
4	Skuppah	Yale district, on the left bank of the Fraser below Skuppah creek, 4 miles below Lytton, in section 13, township 14, range 27, west 6th meridian.	"	59·00	26 inches of water recorded from Skuppah creek, and all the water from all other sources of water-supply on the reserve.
					These reserves are all in th railway belt. They were allotted by Commissioner Sproat, June 18, 1878. Surveyed in 1885. Approved, June 24, 1887.
1	Spuzzum	Yale district, on the right bank of the Fraser river, 9 miles north of Yale in sections 13, 14, 23, 24, township 8, range 26, west of 6th meridian.	Spuzzum	302·00	227 acres of this reserve were allotted by Commissioner Sproat, May 21, 1878; 75 acres additional were allotted by Commissioner O'Reilly, April 26, 1884. 200 inches of water recorded from Spuzzum creek, 50 inches from the creek west of the reserve, 50 inches from the creek one mile below the reserve, and all the water from all other sources of water-supply on the reserve.
2	Papeliqua	Yale district, 11 miles north of Yale, in sections 25, 30, townships 8, range 26, wet 6th meridian.	"	41·00	20 inches of water recorded from the stream which runs into the lake on the reserve.
3	Teequaloose	Yale district, ¼ mile southwest of the Suspension bridge, in section 2, township 9, range 26.	"	10·00	25 inches of water recorded from the stream which flows through the reserve.
4	Yelakin	Yale district, on the left bank of the Fraser, 10 miles above Yale, in section 23, township 9, range 26, west of 6th meridian.	"	72·50	All the water recorded from all sources of water-supply on the reserve.



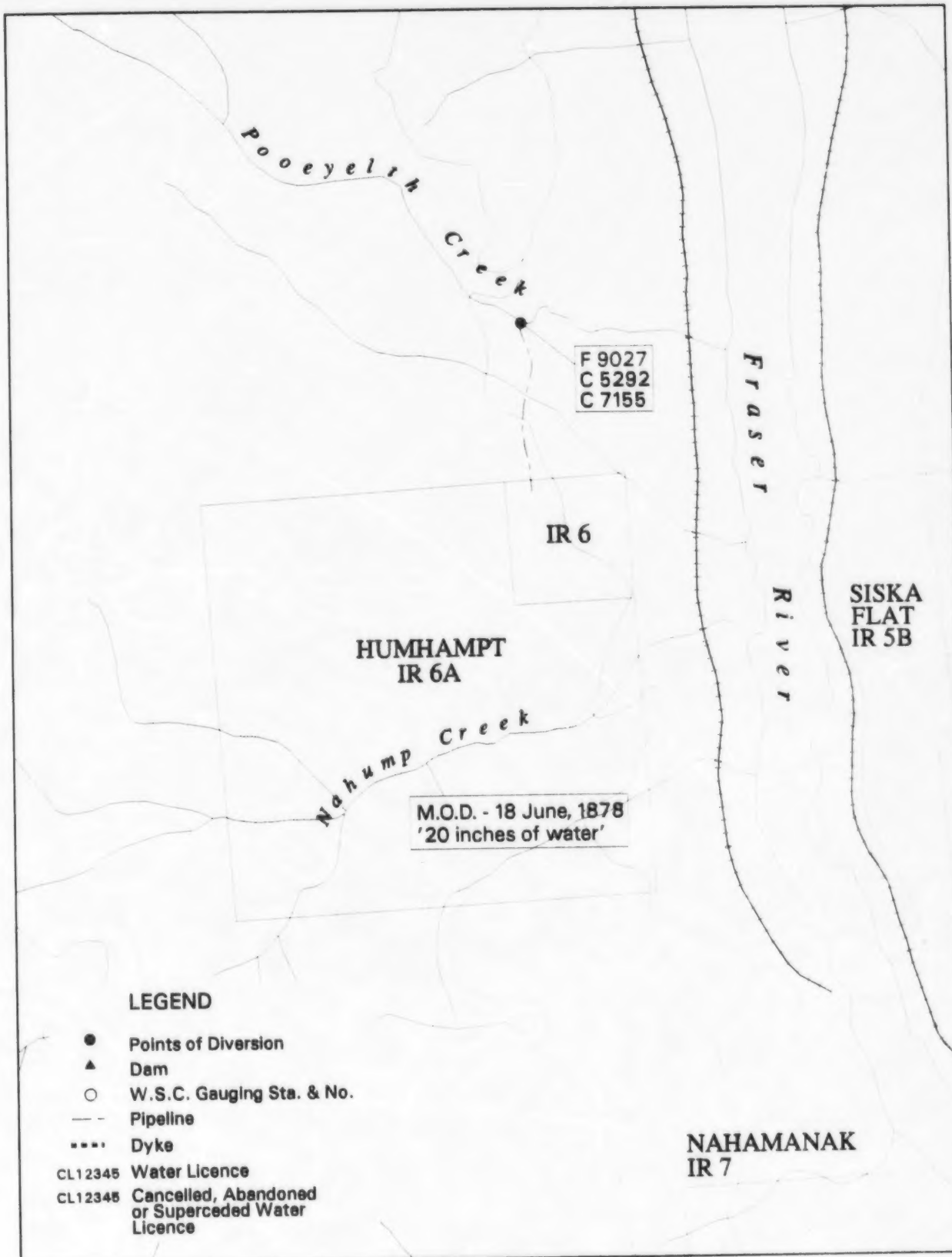
Siska

Scale 1:30,000

Ministry of Environment, Lands & Parks

Date: March 25, 2000

Environment & Lands Division



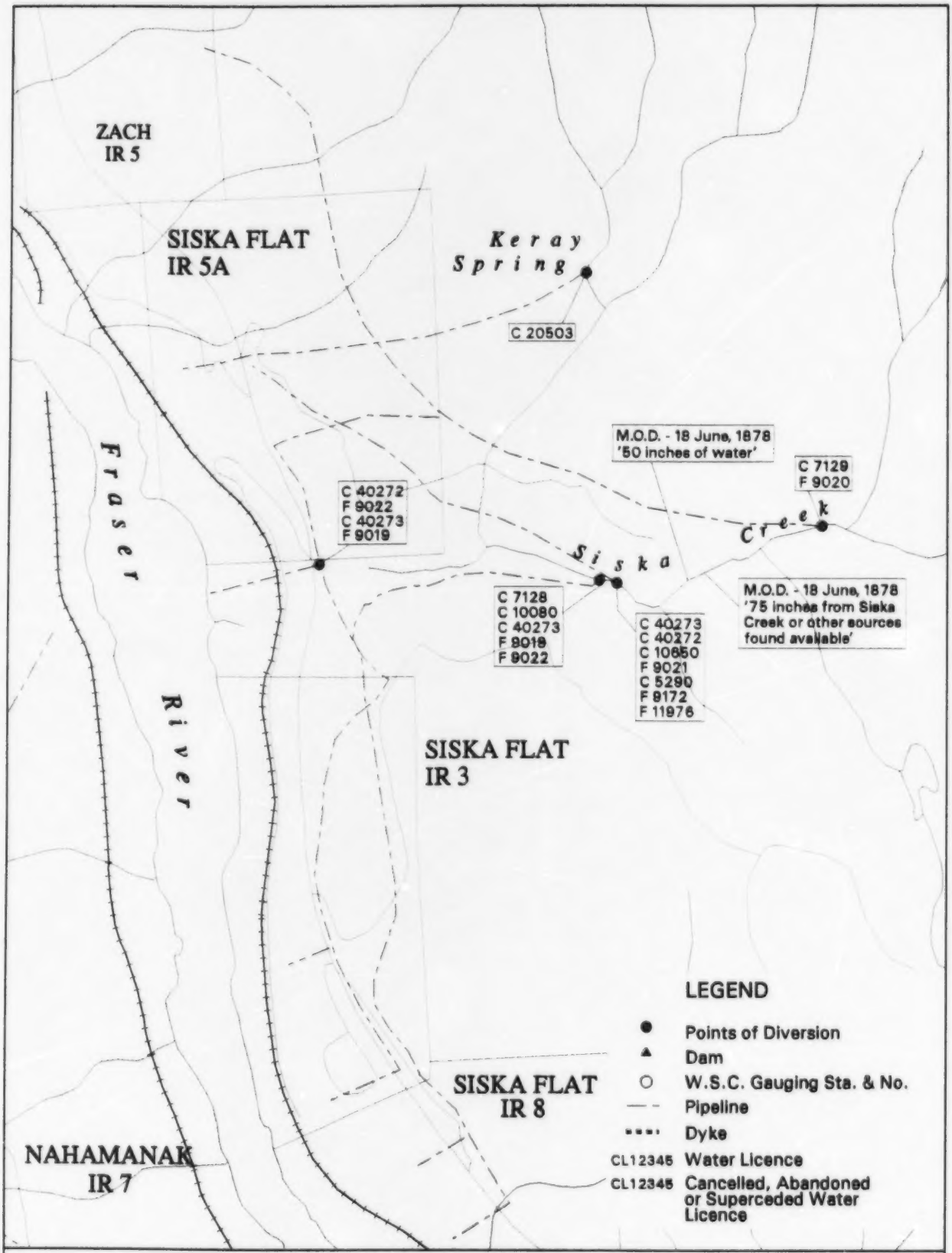
Pooeylth Creek

Scale 1:10,000

Ministry of Environment, Lands & Parks

Date: March 25, 2000

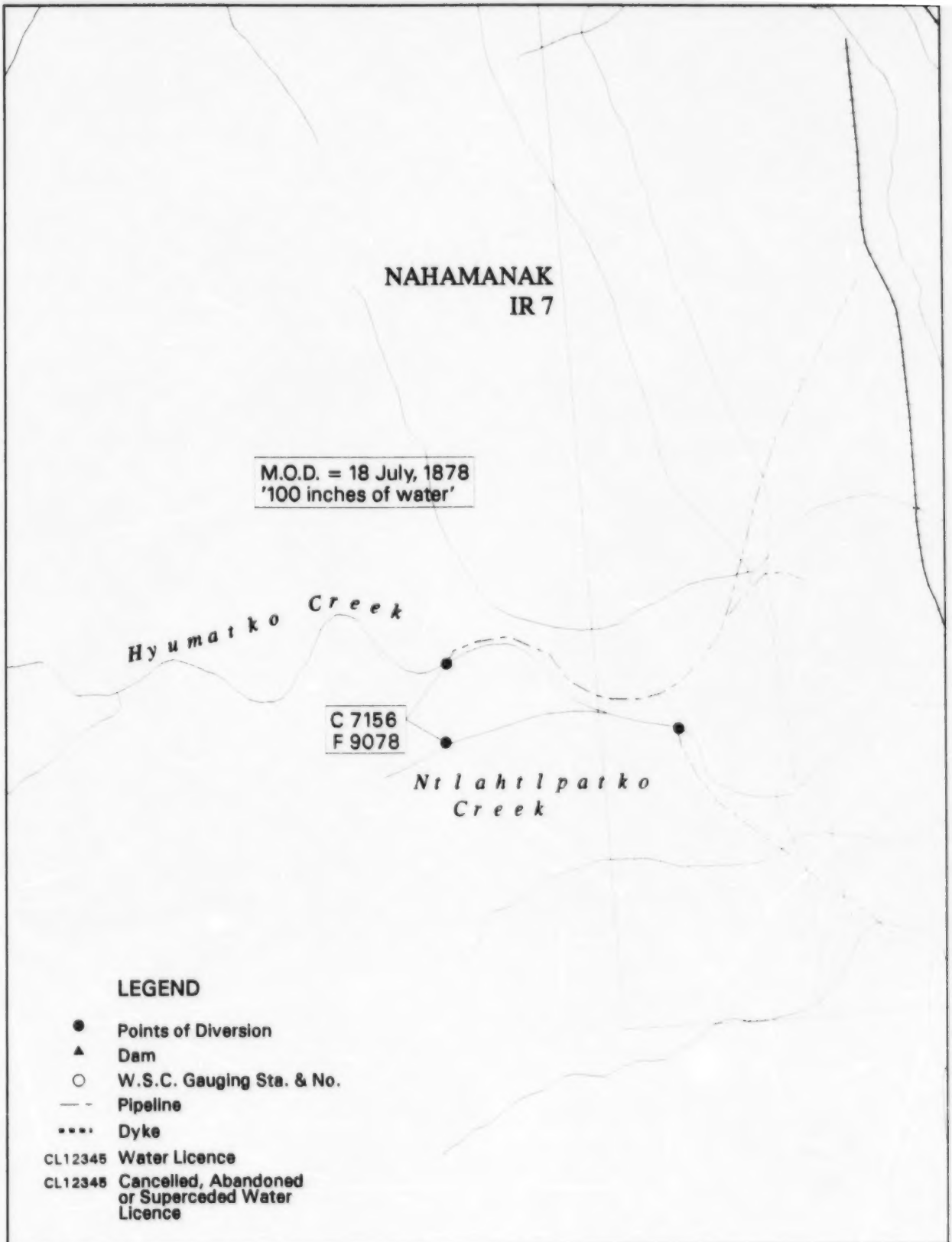
Environment & Lands Division



Siska Creek

Scale 1:10,000

Ministry of Environment, Lands & Parks | Date: March 25, 2000 | Environment & Lands Division



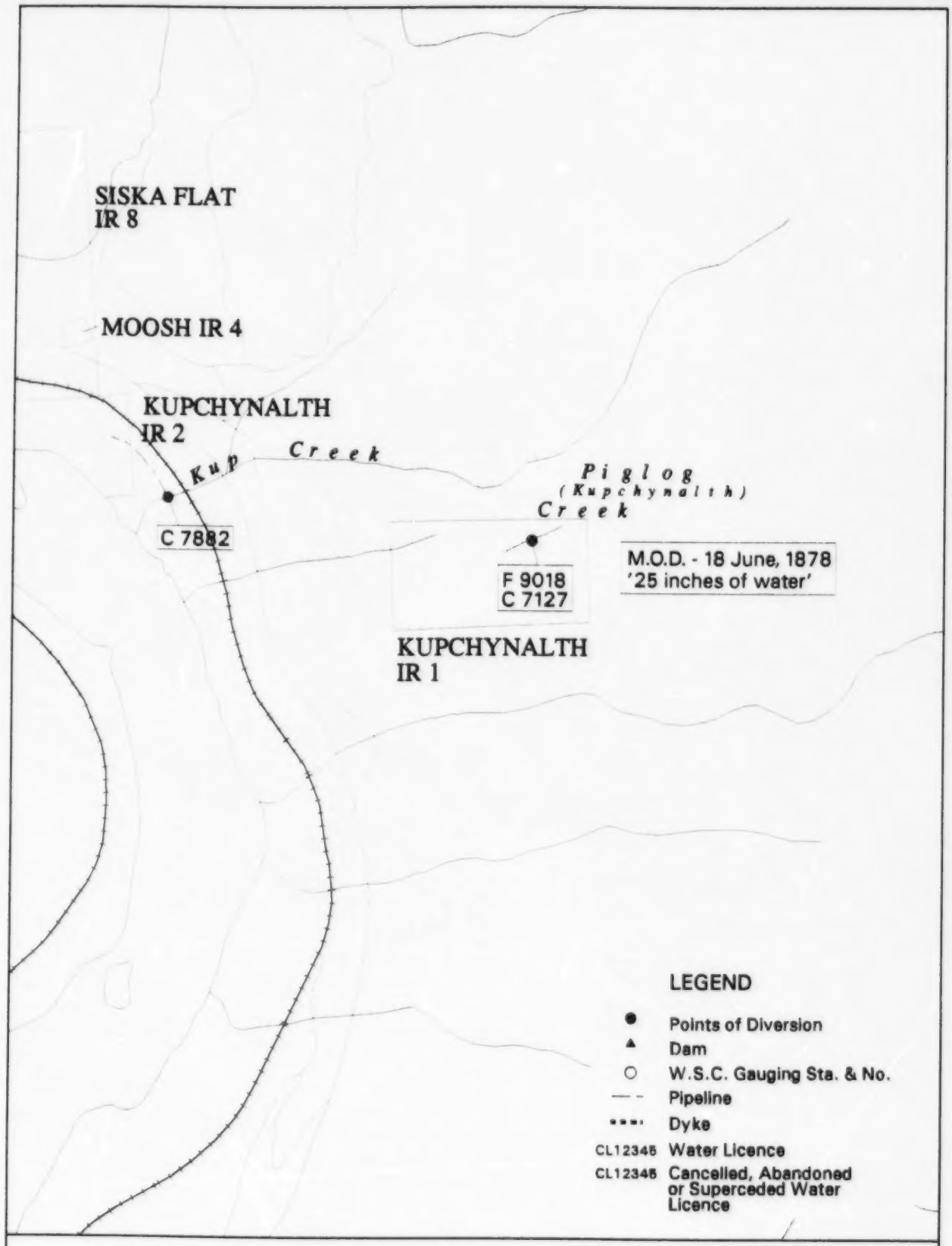
LEGEND

- Points of Diversion
- Dam
- W.S.C. Gauging Sta. & No.
- Pipeline
- Dyke
- CL12345 Water Licence
- CL12345 Cancelled, Abandoned or Superceded Water Licence

Hyumatko Creek

Scale 1:10,000

Ministry of Environment, Lands & Parks | Date: March 25, 2000 | Environment & Lands Division



Piglog Creek

Scale 1:10,000

Ministry of Environment, Lands & Parks

Date: March 25, 2000

Environment & Lands Division